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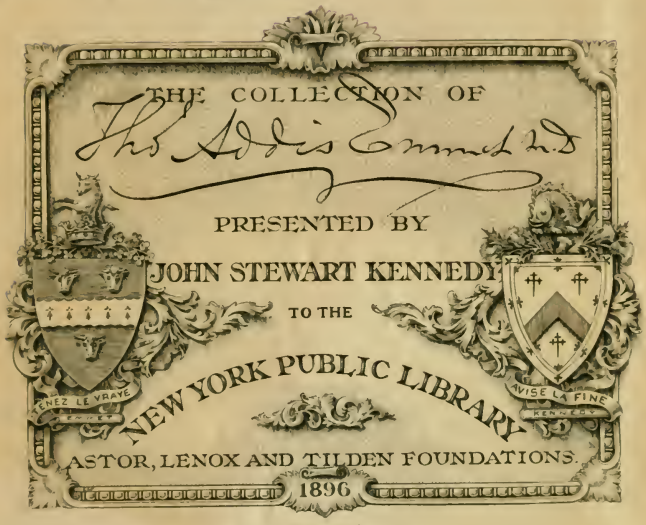
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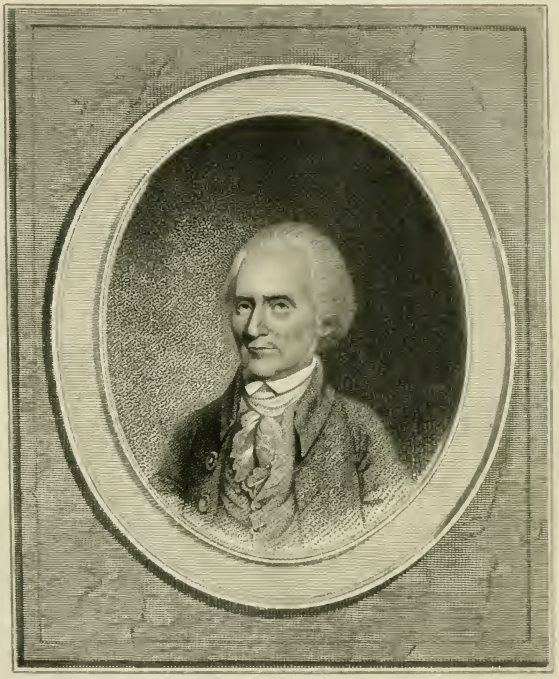


RICHARD HENRY LEE.

Engraved by G. B. Ellis.

MEMOIR

OF

THE LIFE

OF

RICHARD HENRY LEE,

AND

HIS CORRESPONDENCE

WITH

THE MOST DISTINGUISHED MEN IN AMERICA AND EUROPE,

ILLUSTRATIVE OF THEIR CHARACTERS,

AND OF THE

EVENTS OF THE AMERICAN REVOLUTION.

BY HIS GRANDSON,

RICHARD H. LEE,

OF LEESBURG, VIRGINIA.

IN TWO VOLUMES.

VOL. I.

PHILADELPHIA:

H. C. CAREY AND I. LEA, CHESNUT STREET.

William Brown, Printer.

1825.

Eastern District of Pennsylvania, to wit:

SEAL. BE IT REMEMBERED, That on the sixth day of September, in the fiftieth year of the Independence of the United States of America, A.D. 1825, H. C. Carey & I. Lea, of the said District, have deposited in this Office the title of a Book, the right whereof they claim as proprietors, in the words following, to wit:

"Memoir of the Life of Richard Henry Lee, and his Correspondence with the most distinguished Men in America and Europe, illustrative of their Characters, and of the Events of the American Revolution.—By his Grandson, Richard H. Lee, of Leesburg, Virginia. In two volumes. Vol. I."

In conformity to the act of the Congress of the United States, entitled "An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies during the times therein mentioned." And also to the act, entitled, "An act supplementary to an act, entitled 'An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies during the times therein mentioned,' and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints."

D. CALDWELL,
Clerk of the Eastern District of Pennsylvania.

TO

THOMAS JEFFERSON, JOHN ADAMS,

AND

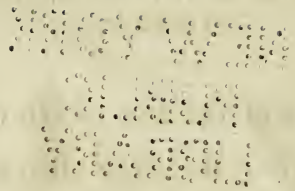
CHARLES CARROLL,

SURVIVING SIGNERS OF THE DECLARATION OF INDEPENDENCE,

The MEMOIR of the Life of RICHARD HENRY LEE, the Mover of the Resolution in Congress, on the 7th of June, 1776, "*That these United Colonies are, and of right ought to be, Free and Independent States, &c.*"

Is most respectfully dedicated,

BY THE AUTHOR.



LIFE AND CORRESPONDENCE

OF

RICHARD HENRY LEE.

CHAPTER I.

Richard Henry Lee, the subject of the following Memoir, was the son of Thomas Lee, of Stratford, in the county of Westmoreland, and colony of Virginia. He was born on the twentieth day of January, 1732.

His forefathers were among the first emigrants to the colony of Virginia. Richard, the great-grandfather, emigrated from England in the reign of Charles the First; but afterwards made several voyages to England, bringing with him, on every return, a number of followers, for each of whom a certain portion of land was granted him, under the title of "Head Rights." He finally settled in the county of Northumberland, in that part of Virginia called "the Northern Neck," between the Rappahanoc and Potomac rivers. He was, for a long time, secretary to Sir William Berkeley, then governor of the colony.* *Richard*, the second son of

* During the civil war between Charles the First and the Parliament, Richard Lee and Sir William Berkeley, being royalists, kept the colony to its allegiance, so that, after the death of the king, Cromwell was obliged to send some ships of war and troops to reduce it. Berkeley and Lee, not being able to resist this

Richard Lee, was one of the king's council, and the first to recognise the grants made by Charles the Second, and James the Second, of the Northern Neck to the Culpepper family, which were afterwards inherited by the family of Fairfax.

Thomas, the third son of the last mentioned person, was, for many years, president of the "King's Council." He was one of the first, of the leading men of the colony, who turned their attention to our western wilds. Having employed an engineer of eminence, from England, for the purpose of exploring them, he, with many others, took up, under the name of the "Ohio Company," an extensive tract of land on the Ohio river. But the company never having obtained a patent from the crown, their title was made void by the revolution. Thomas Lee retained the office of president of the council until his death; and so great was the esteem in which his services were held in the mother country, that a commission of

force, but yet refusing allegiance to Cromwell, brought the commander of the squadron to a treaty, in which Virginia was styled an "*independent dominion.*" This treaty was ratified in England, as made with an independent state. While Charles the Second was at Breda, in Flanders, Richard Lee hired a Dutch ship, and went over to the king, to know whether he could protect the colony, if it returned to its allegiance to him; but finding no support could be obtained, he returned to Virginia, and remained quiet until the death of Cromwell. Upon this event, he, with the assistance of Sir William Berkeley, contrived to get Charles proclaimed "King of England, France, Scotland, Ireland, and Virginia," two years before he was restored to the throne of his ancestors. In gratitude for this loyalty, after the restoration, Charles ordered the arms of Virginia to be added to those of England, France, Scotland, and Ireland, with the motto "En dat Virginia quintam." After the union of England and Scotland, the arms of Virginia, were quartered with those of England, &c. with the motto "En dat Virginia quartam." The author has in his possession an old volume of Colonial Laws of Virginia, printed in England, in the titlepage of which is the representation of the arms of England, France, Ireland, and Virginia quartered, with the motto "En dat Virginia quartam." Hence the title of "Ancient Dominion" has been given to Virginia.—Encyclopædia Britannica, article Virginia.

governor of the colony had been made out for him, when news of his death reached England.*

The maternal ancestors of R. H. Lee were no less conspicuous for their public services. His mother was a daughter of Colonel Ludwell, of Greenspring, near Williamsburg, which was then the seat of the government of the colony. Both he and his son were members of the king's council, and his father had been governor of North Carolina.

At this early period of the colony, there were few seminaries of learning in which the higher branches of education were taught. The youths, whose parents were able to bear the expense, were always sent "home" (as it was then expressed) to England, to complete their studies. Accordingly, Richard H. Lee, after having received a grammatical education in his father's house, under the care of a private teacher, was sent to England, and placed at the academy of Wakefield, in Yorkshire.

Anecdotes of the juvenile years of those, who afterwards become conspicuous on the theatre of the world, when indicative of character, are both pleasing and instructive. It is related of Mr. Lee, that when a boy, knowing he was to be sent to England, it was his custom to make a stout negro boy fight with him every day. To his angry father's question, "what pleasure can you find in such rough sport," the son replied, "I shall shortly have to box with the English boys, and I do not wish to be beaten by them." Thus, it might be said, Providence had given him, in boyhood, an instinctive apprehension of the conflict with that nation, in which he,

* An anecdote, related by a very old gentleman, who had been an intimate acquaintance of Thomas Lee, will put in a strong light his political foresight. He remembered having heard President Lee remark to one of his friends, "that he had no doubt that this country would declare itself, in time, independent of Great Britain; and that the seat of its government would be located near the Little Falls of the Potomac river."—How nearly he came to the fact is remarkable. To evince the confidence he felt in his views, he took up large tracts of land around these Falls, which till lately were in the possession of his descendants.

in manhood, bore so prominent a part; and a spirit of resistance, which he afterwards exhibited so successfully for his native country, and so honourably to himself.

At the academy of Wakefield, by the aid of skilful teachers, and by his own attention and capacity, he made rapid progress in the academical course of study, particularly the Latin and Greek languages: his admiration of the nervous energy of the one, and the grace and melody of the other, exhibited, at an early age, maturity and correctness of taste. He returned, about the 19th year of his age, to his native country, two years after the death of his father, which happened in the year 1750; and for some time resided with his elder brother. Although he, at this period, passed a life of ease and pleasure, it was not one of idleness; active, and energetic, he was always in search of knowledge—and the very extensive library which his father had collected, furnished him ample means of gratifying his desire for intellectual improvement. From the works of the immortal Locke, he acquired an ardent fondness for the principles of free government; and from those of Cudworth, Hooker, Grotius, and other writers of the same class, he drew maxims of civil and political morality. He read with deep attention and admiration, the histories of the patriotic and republican ages of Greece and Rome, which animated his love of his country, and of liberty. The anarchy which too often disgraced their governments, taught him the value of well defined constitutions, to guard individuals from the consequences of the prejudices of the many, and the public prosperity from the effects of popular passion and caprice.

His taste was refined by reading the works of the classic poets, both ancient and modern. Homer, Virgil, Milton, and Shakspeare, were his favourite authors—of the last he was enthusiastically fond. The best histories of every age were within his reach; and the vast fund of political wisdom derived from them, was strikingly exhibited, when, in future life, he called for its use in the service of his country.

Mr. Lee, without any view to the practice, made himself well acquainted with the principles of the civil law, and the laws of his own country. He applied his mind with particular care, to the study of the history, and the constitution, of England and her colonies. The popular features of these governments attracted his admiration. He was delighted with the free spirit of the nation from which he was descended.

The author has in his possession, the manuscript digests and synopses of the works read by Mr. Lee, during his residence with his brother; they discover the habits and mode of his study; their arrangement is new and always judicious: the subjects are well illustrated, and the views of the authors, when given, are concisely expressed, and happily condensed. To this early mode of study, he was, no doubt, indebted for that conciseness of style, of which he afterwards was as much a master, as he was of brilliant and impressive amplification.

Mr. Lee seems early to have thought too correctly to suppose, that genius can supply the place of study, or enable its possessor to dispense with the labour essential to its advantageous prosecution. He must have been conscious of the quickness and capacity of his mind; but vanity did not delude him with the absurd idea, that knowledge is intuitive. He believed the import of the adage "veritas in puteo," and he laboured to find it. He did not, however, devote himself exclusively to study, he mingled cheerfully in society, and transacted the various business of life with diligence and judgment. He was early remarked for the accuracy with which he conducted his concerns. Hence he was frequently, when comparatively a young man, selected as guardian to infant children of his relatives and friends. In one of his letters to a gentleman in England, to whom he was about to commit the care and education of some of his wards, there is a passage, worthy of a place here, since it contains some reflections on the course of education, as applicable now, as when they were written: "I have no doubt that your good sense will avoid the too common

error of early plunging boys into the study of ancient and other languages, before they have acquired a competent knowledge of their own. By which mistake it is, that so many who are learned in the languages of Greece and Rome, remain unable to write their own with correctness, and still less, to read and speak it with grace and propriety. To avoid this, *and for the still greater benefits of having their minds early impressed with a love of religion and virtue*, are the principal reasons that induce me to prefer private education for some time, to public."

The manners of Mr. Lee were, in the highest degree, affable and polite. The candour and disinterestedness of his character, could not fail to strike every person who had the slightest acquaintance with him—entirely devoid of all pride and guile, he became very popular, immediately upon his entering into the active scenes of life.

It is well known that the famous seven years' war, as it is called by historians, was not confined to the European dominions of the two principal and rival nations engaged in it. The colonies of France and England, in North America, were involved in its bloody and destructive consequences. Our frontier settlements suffered continually and severely, from the predatory incursions of the Indians employed by France in Canada, and along the Ohio river. In 1755, England became convinced, that the colonies of Virginia and Pennsylvania, could not longer, without her aid, effectually resist the irruptions of their horrid enemies. She therefore sent, under the command of general Braddock, a body of regular troops, for the purpose of protecting the frontiers of those colonies. The cruel murders committed in the preceding year by the Indians, in the valley, between the Blue Ridge and North Mountains in Virginia, had excited the indignation of the people of the low counties of that colony. Upon the arrival of general Braddock, volunteer companies of militia were raised, which offered their services to march with the regular army. By a volunteer company of his native county, Mr. Lee was

chosen captain. As soon as it had put itself under his command, he marched to Alexandria, on the Potomac, where the regular army had landed. Upon his arrival at that place, he was much chagrined to find, that their services would not be accepted by Braddock—that, with his companions in arms, he must return to his home, without an opportunity of serving his country.

The following circumstance, which happened at Alexandria, may serve to show the coarse and rude manners of General Braddock, and his haughtiness towards *provincials*, to which may be attributed his subsequent defeat and death. Mr. Lee had walked down to the shore, with General Braddock and some of his officers, where a boat was in readiness to convey them to the commodore's ship. When his officers were on board, although he saw Mr. Lee standing on the shore, General Braddock ordered the men to push off; but the commodore, afterwards the celebrated admiral Keppel, observing this, sternly ordered them to stop, and invited Mr. Lee into the boat, in which he accompanied them to the ship.

Mr. Lee may be said to have inherited a love of public life. Most of his ancestors had devoted the greater part of their lives, to the public service, in posts of honour. They had shown themselves men of business, as well as of capacity. His father had been remarkable for an indefatigable application to public business; and the character of his father, no doubt, had its influence in the formation of the habits of his son. He was appointed about the twenty-fifth year of his age, a justice of the peace for his native county. This office was, at that period of the colony, of much greater importance than it is at present, and the appointment was reserved for men of the greatest purity of character, and generally conferred on those, whose judgments were matured by age. A magistrate in Virginia, performs not only acts of police, but is, ex-officio, a constituent part of the county court, the jurisdiction of which, as a court of common law and equity, was then unlimited. At that

period, suits of the highest grade, and of the greatest importance, were brought in the county courts. In this office, Mr. Lee was active and diligent. He punctually attended in court; and with unwearied patience, went through its most uninteresting business. A copy is found among Mr. Lee's manuscripts, of a petition signed by several magistrates to the governor and council, praying that Mr. Lee's commission might be so dated, that he could act as president of the court, and be allowed precedence in this respect, at an earlier period, than his appointment legally permitted.

He was, in this year, elected a member from Westmoreland, to the House of Burgesses, and from this time, till his death, a period of thirty three years, enjoyed the unabated favour and confidence, not only of the citizens of his native county, but of the state of Virginia. During the first years, of Mr. Lee's service in the House of Burgesses, he had to struggle against a diffidence, which, he began to despair, of ever being able to conquer. It was long before he could be induced to trust himself to the contingencies of extemporaneous discussion. He, however, did not suffer the time to pass without improvement. He made himself master of the various forms, according to which, legislative bodies proceed in the transaction of business; and, acquired an extensive and accurate knowledge of the interests, and financial concerns of the colony. An incident, at that time, of importance to the colony, which will presently be related, at length, occurred to arouse him; and he distinguished himself by an ability and eloquence, which placed him at once, among the first members of the body to which he belonged.

Previous to this epoch in his life, Mr. Lee having become much dissatisfied with several measures of the House of Burgesses, and believing that he could more effectually serve his country in some other station, applied through his friends in London, for a seat in the council. Some of his letters are here inserted, which abound in sentiments ingenuous, dignified, and patriotic,

The manner in which he confutes the objection, that one of his brothers was a member of the council, cannot fail to gratify every reader of sensibility.

WESTMORELAND, VA.
AUGUST, 27, 1762.

SIR—The acquaintance, I had the honour, to form with you when I was in London, in the year '51, will, I hope excuse me to you, for the freedom of this letter. When I consider the weight you deservedly possess, in affairs relative to this colony, I know not any person to whom I can, with more propriety, apply for an application in my behalf, that I may be appointed to fill the next vacancy in his majesty's council. I am the more induced to an application, at this time, as I am informed, that an address is preparing by the council, to his majesty, to remove Mr. —— from their board, on account of his extreme incapacity, to discharge the important duties of that station. If that address succeed, as I should imagine it would, from the weighty reasons assigned in it, then sir, I would lay myself under the great obligation that will arise from your interposition in my behalf: an obligation which will ever influence me, to consider you as my great benefactor, and particular friend. The desire I have to do my country service, is my only motive for this solicitation; and governed by the same reason, my attention has been, for some time turned to public business, both as a member of the legislature, and of our inferior courts of justice. This experience supported by a laudable ambition, will, I hope, render me an object not altogether unworthy of your patronage.

I have the honour to be, with great respect and esteem, your obedient servant,

RICHARD HENRY LEE.

TO JAMES ABERCROMBIE, ESQ.
In Craven street, London.

WESTMORELAND, VA.
AUGUST, 27, 1762.

DEAR SIR—I wrote to you a few days ago, that the council of this colony, had unanimously addressed his majesty to remove from their board Mr. ——, the last appointed counsellor, on account of his incapacity. If this address succeed, I entreat the favour of you, to exert your friendship that I might be appointed in Mr. ——'s place. If an ardent desire to serve my country, added to considerable time and application, already employed in the service of the public, are to be considered in this appointment, you may safely declare yourself my friend. I shall say nothing of the abilities of the gentleman, who, I understand, has a probability of filling the next vacancy, from the chance he stood last; because, as you know him, this would be unnecessary; and because I think it not proper, to establish my success, by making invidious observations on another. But in his favour, it is urged, that his contiguity to the seat of government, renders his appointment proper, as on government contingencies, his attendance in council could be presently obtained. If this argument, independent of any auxiliary one, was to be admitted, might not *a cobbler in the city dispute the point with him?* Less weight will be found in this reason, when you consider that those who compose our council, meet four times a year of course, to constitute the general and oyer courts; when they sit, on the whole, more than two months, besides the frequent meetings of the general assembly. At these times it is, that council business is chiefly discussed. If, in the intermediate time, any contingency render a council necessary, there are always six or seven of the board, whose situation admits of a very speedy meeting. But in a variety of instances, it may happen, that a dispersion of the councillors through the several parts of the colony, will be attended with advantageous consequences, by their having a more minute

and particular acquaintance with the circumstances of the country.

Against my success, I hear it is urged that I have a brother already in the council. This is true; but can any solid reason be assigned, why this friendly connexion should banish virtue and morality from the breasts of brothers? or does it follow, of course, that those thus allied, should, to promote any views they may be supposed to have, unite to injure their country, and so found their brotherly union on the destruction of honour, duty, and public good? For my part, I think the objection does not hold in theory; and, exclusive of the many historic proofs that might be adduced to confute it, we have a familiar experience here, of two brothers having long sat together in the council, to the honour of his majesty, and to the interests of the colony.

To whom, my dear sir, can you apply with so much effect, as to your noble friend Lord Halifax, since a word from him would accomplish the object; and then the honour of the appointment would be enhanced, by its being the direction of a person so universally admired for the honesty of his heart and the ability of his head. I know you will excuse the length of this letter. With great sincerity, I assure you of the unabated esteem of your affectionate friend,

RICHARD HENRY LEE.

To THOMAS CUMMINGS, Esq.
in London.

In another letter, on the same subject, he again contests the force of the objection to his appointment, that his brother was a member. He happily diversifies the argument, and exhibits a mind rich in sentiment. "I hear (he writes) it is objected to me that I have a brother already in the council. It is very true, I have; but candidly considered, how unimportant is this objection, nay, how invidious is it, since the only force it can possibly have, must be derived from a previously established want of virtue in the brothers, which may lead them to coalesce in schemes destructive of their country. For if

honesty mark their character, no leagues of vice will ever be entered on, and an union in virtue can never be improper. But a vicious person should never be preferred, whatever may be his relation to, or disunion with the rest of his companions in office. If this strange objection should be urged, how easily could your genius and penetration thoroughly overcome it," &c.

CHAPTER II.

It has been stated that Mr. Lee, at an early period of his life, was elected a member of the House of Burgesses of Virginia; and that probably, more than one session passed, without any participation, on his part, in the debates. The natural diffidence of his character was increased by the respect and deference he entertained, for men of ability and experience, and the House of Burgesses, at this time, contained many men of this description. The first speech of Mr. Lee, as far as can be ascertained, was on a motion "to lay so heavy a duty on the importation of slaves, as effectually to put an end to that iniquitous and disgraceful traffic within the colony of Virginia." The lively interest which he felt in the success of the motion, incited him to exert all his powers in its support. The timidity, however, with which he took part in the debate, may be perceived from the brevity and care with which he prepared his speech. Although short, it will be seen that it contains the germ of every sound argument, which has been since unfolded, against the immoral character, the practical barbarities, and the political consequences of the slave trade. How different would have been the actual condition and the prospects of Virginia, had his arguments prevailed, and the policy which he recommended been adopted and enforced.

"Sir, as the consequences of the determination we must make in the subject of this day's debate will greatly affect posterity, as well as ourselves, it surely merits our most serious attention. And well am I persuaded, sir, that if it be so considered, it will appear, both from reason and experience, that the importation of slaves into this colony has been, and will be attended with effects,

dangerous, both to our political and moral interests. When it is observed that some of our neighbouring colonies, though much later than ourselves in point of settlement, are now far before us in improvement, to what, sir, can we attribute this strange, this unhappy truth? The reason seems to be this: *that with their whites they import arts and agriculture, whilst we, with our blacks, exclude both.* Nature has not partially favoured them with superiour fertility of soil, nor do they enjoy more of the sun's cheering and enlivening influence; yet greatly have they outstript us.

"Were not this sufficient, sir, let us reflect on our dangerous vicinity to a powerful neighbour, and that slaves, from the nature of their situation, can never feel an interest in our cause, because they see us enjoying every privilege and luxury, and find security established, not for them, but for others, and because they observe their masters possessed of liberty which is denied to them, whilst they and their posterity are subjected for ever to the most abject and mortifying slavery. Such a people must be natural enemies to society, and their increase consequently dangerous.

"This reasoning we find verified in the Grecian and Roman histories, where some of the greatest convulsions recorded, were occasioned by the insurrections of their slaves; insomuch, says a Roman historian, that Sicily was more cruelly laid waste by the war with the slaves, than by that with the Carthagenians. This slavish policy still continuing at Rome, at length increased their slaves to such a prodigious number, as obliged the Romans to make laws for their government so severe, that the bare relation of them is shocking to human nature.

"Nor, sir, are these the only reasons to be urged against the importation. In my opinion, not the cruelties practised in the conquest of Spanish America, not the savage barbarity of a Saracen, can be more big with atrocity, than our cruel trade to Africa. There we encourage those poor, ignorant people, to wage eternal war

against each other; not nation against nation, but father against son, children against parents, and brothers against brothers, whereby parental, filial, and fraternal duty is terribly violated; that by war, stealth, or surprise, we *Christians* may be furnished with our *fellow-creatures*, who are no longer to be considered as created in the image of God as well as ourselves, and equally entitled to liberty and freedom by the great law of nature, but they are to be deprived, for ever deprived, of all the comforts of life, and to be made the most wretched of the human kind. I have seen it observed by a great writer, that Christianity, by introducing into Europe the truest principles of humanity, universal benevolence, and brotherly love, had happily abolished civil slavery. Let us, who profess the same religion, practise its precepts; and by agreeing to this duty, convince the world that we know and practise our true interests, and that we pay a proper regard to the dictates of justice and humanity!"

This speech gained for Mr. Lee some applause; but it did not procure for him that decided reputation and popularity, which he soon afterwards enjoyed. An occasion at length occurred, which related more immediately to the politics of the house, and on which the feelings of a brother had been, as Mr. Lee thought, unjustifiably wounded. Affection for his brother, and indignation at the unworthy conduct and unfair treatment which he had received, fired Mr. Lee; and calling forth, into vigorous exercise, the latent powers of his intellect, discovered to his fellow citizens, inexhaustible sources of a rich, brilliant and energetic eloquence.

To enable the reader to catch something of the spirit of the transaction about to be recorded, a short account of the parties of that time, may be necessary. Two parties divided the House of Burgesses. These were strongly marked; and the spirit of their politics was widely different. Although they could not be correctly called "whig and tory," they might be termed aristocratic and republican. The society of Virginia was then generally and obviously divided into two classes; the one

was constituted of men who owned large landed estates, cultivated by bodies of slaves; the other, of the solid and independent yeomanry. They were equally distinct from each other in their manners and customs. The former lived in great splendour and luxury, and imitating in their mode of life, the nobility of England, they possessed, no doubt, much of the spirit of aristocracy. Between this and the latter class, there was little or no intercourse.* The members of the assembly carried into that body, the manners and feelings of the class, in which their birth or their wealth, had placed them. The aristocratic members looked down upon those, who came from the lower orders, as they termed them, while these looked upon the others with jealousy and dislike. The more intelligent members of the republican party, viewed the "aristocrats" with a sort of political abhorrence, as enemies to the popular features of the constitution. Mr. Lee, from the convictions of reason, and from the bias of education and reading, was a firm and ardent member of the republican party.† He was an admirer, and called himself a disciple of Hampden, and Sydney, and Pelham.

In this state of the two parties in the legislature, the republican members determined to bring forward a measure, for the success of which they felt great anxiety. Mr. Thomas Lee, an elder brother of Mr. Lee, who was also a member of the house, and attached to the popular party, was selected to introduce a resolution on the subject. This gentleman, though accustomed to speak, was still oppressed by that diffidence and embarrassment, which had hitherto repressed the genius of his brother. Urged however, by the zeal of his party, and probably by the intrinsic merit of the measure he was about to propose, his introductory speech was one of great strength. But he had forgotten, that the rules

* See Life of P. Henry, p. 33, &c.

† The word "republican," is here used in the sense in which it might be applied to Cimon, or to Cato.

of the house required, that every motion should be reduced to writing, before it could be put from the chair. The speaker of the house, who was the head of the opposite party, availed himself of this oversight, and reminded Mr. Lee, with great asperity, of the rule, and the violation of it, of which he had been guilty. Mr. Lee was so confounded by the manner of the speaker, that he was utterly unable to retrieve the consequences of his mistake, or to take advantage of the impression which his speech had evidently made. The hopes of the opposition, who perceived the confusion of their champion began to fall, and despair, at length, was spreading among them, when, to their surprise, R. H. Lee, stung with resentment at the manner in which his brother had been treated, arose with a written motion, and prefaced it with a bold and brilliant speech. His political friends exhibited at once astonishment and delight, while his adversaries were confounded—he became from that time the darling of his party. His knowledge of business and application to it, his information on all subjects before the house, and his conciliating manners, now speedily constituted him the leader of his party, and a prominent and useful member of the legislature. Mr. Thomas Lee could never afterwards be prevailed on to speak. Hence, it was remarked at the time, that the incident which had destroyed one orator, had raised up another.

The next occasion upon which Mr. Lee distinguished himself as an useful, intrepid and patriotic member, was one of real importance to the colony. Mr. Robinson, who, from his family and wealth, was at the head of the aristocratic party, united in his person the offices of speaker of the House of Burgesses, and treasurer of the colony. The latter office was in the gift of the crown, and those who held it had always been obsequious to the court. Such was the case with Mr. Robinson. Possessed of great wealth, and high in official dignity, and being besides a person of an unassuming air, and politeness of manners, and of a great amiableness of na-

ture, he was the most popular man of his party, and was personally much beloved. As a politician and legislator, he was a known "aristocrat"—yet many members of the republican party were in habits of friendly intercourse with him, and esteemed him as a man while they opposed him, and the measures of his political friends.

The colony of Virginia had contracted large debts, by its exertions in the French and Indian wars, which had desolated its western frontiers. It had been compelled to anticipate its revenue, and to borrow considerable sums of money. To repay these loans, it had issued government paper, redeemable, in each year, to a certain amount, by taxes pledged for the purpose. It was made the duty of the treasurer, to burn the bills which should be annually called in. The treasurer had been liberal of his private funds to his friends, whose style of living required larger expenditures, than their estates yielded. When these were exhausted, he had been induced to lend to many members of the House of Burgesses, the government bills which had been redeemed, and ought to have been destroyed. It is said, that he relied on his own means to prevent any ultimate injury to the state, and upon the security he had taken. The fact, that the treasurer had made an improper use of the money of the public, became known; or, at least, strong suspicions, were entertained on the subject. These suspicions gave rise to conversations among the opposition party; and, it was in agitation, to move an inquiry into the grounds of them. The considerations, that the speaker was individually concerned in the inquiry contemplated; that the interests of the colony were involved in it; that some of the ablest and most influential men in the house, were the intimate friends of the speaker, and that a failure to prove his defalcation, no matter from what cause, would be represented as the just result of a malignant attack on him, made it a delicate and fearful task, to move the inquiry. Great indecision and backwardness were evinced. Mr. Lee, as soon as he had satisfied his mind that there were grounds upon

which to rest the suspicions, determined to brave every risk, and to assert the justice and necessity, of bringing delinquents to punishment. To his mind, their exaltation and influence, offered no just exception to the rigid application of these principles. The difficulties he would have to encounter, in the present cause, served only to stimulate his firm and adventurous spirit. Accordingly, he moved "that a committee be appointed to inquire into the state of the treasury." As soon as the government partly perceived what subject Mr. Lee was about to agitate, they discovered symptoms of alarm, and prepared for a strenuous resistance. The speaker fixt his eyes with a dark and terrible frown upon Mr. Lee. The members opposed to his motion, turned their faces from him, with haughty and disdainful airs: but, these things had no other effect, than to animate Mr. Lee to strains of indignant eloquence. The most able and influential members of the house, opposed his motion, yet, he refuted with great force, all objections to the inquiry, and seemed to gain strength and ardour, from the very means taken to defeat it. The resolution was finally adopted; then pursuing his success, he brought the business to a close, which promised to save the colony from great fiscal embarrassment, and the people from additional burdens. This achievement of Mr. Lee, added greatly to his reputation throughout the colony. The author has found among the manuscripts of Mr. Lee, a letter from a gentleman of a distant county of the colony, and not personally acquainted with him, complimenting him on the part he had acted, and thanking him, for the good he had done to his fellow citizens.

A state of things was now commencing, which was to abolish all party distinctions in the colony of Virginia; to afford an occasion for the exercise of the highest talents, and the noblest virtues, and to lead to the independence of the United States.

England had just concluded the peace of Paris, which was preceded by one of the most extensive and bloody wars, that had ever desolated civilized Europe. She

had come out of it, covered with glory; her troops had fought, and conquered, in almost every quarter of the globe; her statesmen were renowned; and the boldness and energy of the illustrious Pitt, had placed her first among the nations of the earth. The fame of her premier was co-extensive with the glory of the "Great" Frederick.* The humbled house of Bourbon, in all its branches, owned her triumphs. But it seems a wise ordination of Providence, that national glory gained in fields of blood and conquest, is, in almost every instance, connected with domestic embarrassment and suffering. Such was the case with England. When the splendid halo had flitted from the vision of her people, they found themselves loaded with debt. Their statesmen were anxiously looked to for relief; but they in vain perplexed themselves to discover any sufficiently productive source of revenue, to meet the difficulties, in which, the finances of the country were involved. Notwithstanding this state of the treasury, the ministry, which had come into power upon the conclusion of the war, unaccountably determined to raise twenty new regiments. That profound statesman and celebrated orator Edmund Burke, gives this account of that measure, *which first turned the eyes of English financiers, to the colonies.*† "At that period (at the close of the war,) the necessity was established of keeping up no less than twenty new regiments, with twenty colonels capable of seats in this house. This scheme was adopted with very general applause from all sides, at the very time, when by your conquest in America, your danger from foreign attempts in that quarter of the world was much lessened, or, indeed, quite over. When this huge increase of military

* The author cannot apply this appellation to Frederick the Second of Prussia, without expressing the limitation, in this instance attached to it. As a victorious warrior, and as an acute statesman, he certainly merits the appellation of "Great." But the author can scarcely find language to express the detestation, in which he holds his character, as a man and a ruler.

† In his masterly speech on American taxation.

establishment was resolved on, a revenue was to be found to support so great a burden. Country gentlemen, the great patrons of economy, and resisters of standing armies, would not have entered with so much alacrity into a vote for so large and expensive an army, if they had been sure, that they were to continue to pay for it. But hopes of another kind, were held out to them; and in particular, I well remember, that Mr. Townsend, in a brilliant harangue on this subject, did dazzle them by laying before their eyes the image of a revenue to be raised in America. Here began to dawn the first glimmerings of this new colony system."

The same great statesman thus exhibits the development of the principle assumed by the ministry, and so blindly followed by the Parliament of Great Britain, "that the mother country had a right to tax America, without her consent." "But the grand manœuvre in that business of new regulating the colonies, was the fifteenth act of the fourth of George the Third, which, besides containing several of the matters to which I alluded, opened a new principle; and here properly began the second period of the policy of this country with regard to the colonies, by which a scheme of regular plantation parliamentary revenue, was adopted in theory, and settled in practice. This act, sir, had for the first time, the title of 'giving and granting' duties in the colonies and plantations in America; and for the first time, it was asserted in the preamble, 'that it was just and necessary, that a revenue should be raised there.' Then come the technical words of 'giving and granting,' and thus a complete American revenue act was made, in all the forms, and with a full avowal of the equity, policy, and even the necessity of taxing the colonies, without any formal consent of theirs. There were contained also in the preamble to that act, these very remarkable words, 'the Commons being desirous to make some provision towards raising the said revenue.' By these words, it appeared to the colonies, that this act was only

the beginning of sorrows, &c. This ill prospect appeared boundless in extent and endless in duration."

The 15th act of 4 Geo. III., of which Mr. Burke speaks, was the act which announced the determination of Parliament to tax America, and preceded the famous stamp act, the principle of which the colonies denied, and the practical operation of which they finally resisted.

In March, 1764, as every reader remembers, the principle, asserted by Parliament, was carried out into an act, on motion of Mr. Grenville, the first commissioner of the treasury, in which it was declared "to be proper to impose certain stamp duties in the colonies, for the purpose of raising a revenue in America, payable into the British exchequer."

Mr. Lee quickly perceived the unconstitutionality and danger of the principle asserted in this act. He saw clearly, not only its fallacy, but the extent to which it would reach, and the duration of the oppression, to which it would lead, and immediately denounced it, in letters to his friends in England, and in his conversations with his fellow-citizens. It was not his nature, to be silent, or passive when the slightest violence to right was done. When he perceived one of the dearest rights of his country was denied or infringed, he became active and intrepid. He wrote (in letters to his friends and in the paper of the colony) and spoke against the measure just now mentioned, using every argument to rouse his countrymen to a sense of the dangers about to surround them.

In March, 1764, Mr. Grenville's declaratory act passed; and in May following, Mr. Lee wrote to a gentleman in London, who was a public character, expressing his opinion of the measure, and proving the incompatibility of the act with the constitution of Great Britain, and with the rights of his countrymen; also strongly and eloquently stating their claims to the gratitude of the mother country. It has been recorded of a celebrated patriot* of the revolution, that in expressing his views,

* P. Henry.

confidentially, to a private company of his friends, in the year 1773, of the probable consequences of resistance to Great Britain, he foretold, that when Louis XVI. was convinced, by our opposition and declaration of independence, that the colonies would not submit, he would join us. This is certainly an instance of great sagacity; for not even then, as it was supposed, had any person ever before suggested the probability of such measures, as those of resistance and independence. No one can fail to be struck, then, with that foresight and sagacity which, in 1764, when as yet only the Declaratory Act had passed, suggested the probability that the measures it contemplated, "though intended to oppress and keep us low, in order to secure our dependence, might be subversive of that end;" "and may produce a fatal resentment of parental care, being converted into tyrannical usurpation." In the letter from which these quotations are made, glows the spirit of an early American patriot.

CHANTILLY, VA.
MAY 31, 1764.

"MY DEAR SIR—At a time when universal selfishness prevails, and when (did not a very few instances evince the contrary) one would be apt to conclude that friendship, with Astrea, had fled this degenerate world, how greatly happy must be the man who can boast of having a friend. That this happiness is mine, the whole tenor of my life's correspondence with you proves most clearly.

"Many late determinations of the great, on your side of the water, seem to prove a resolution, to oppress North America with the iron hand of power, unrestrained by any sentiment, drawn from reason, the liberty of mankind, or the genius of their own government. 'Tis said the House of Commons readily resolved, that it had 'a right to tax the subject here, without the consent of his representative;' and that, in consequence of this, they had proceeded to levy on us a considerable annual sum, for the support of a body of troops to be kept up

in this quarter. Can it be supposed that those brave adventurous Britons, who originally conquered and settled these countries, through great dangers to themselves and benefit to the mother country, meant thereby to deprive themselves of the blessings of that free government of which they were members, and to which they had an unquestionable right? or can it be imagined that those they left behind them in Britain, regarded those worthy adventurers, by whose distress and enterprise they saw their country so much enlarged in territory, and increased in wealth, as aliens to their society, and meriting to be enslaved by their superior power? No, my dear sir, neither one nor the other of these can be true, because reason, justice, and the particular nature of the British constitution, nay, of all government, cry out against such opinions! Surely no reasonable being would, at the apparent hazard of his life, quit liberty for slavery; nor could it be just in the benefited, to repay their benefactors with chains instead of the most grateful acknowledgments. And as certain it is, that 'the free possession of property, the right to be governed by laws made by our representatives, and the illegality of taxation without consent,' are such essential principles of the British constitution, that it is a matter of wonder how men, who have almost imbibed them in their mother's milk, whose very atmosphere is charged with them, should be of opinion that the people of America were to be taxed without consulting their representatives! It will not avail to say that these restrictions on the right of taxation, are meant to restrain only the sovereign, and not Parliament. The intention of the constitution is apparent, to prevent unreasonable impositions on the people; and no method is so likely to do that, as making their own consent necessary, for the establishment of such impositions. But if no such consent is allowed in our case, it will still be an aggravation of our misfortune to be the slaves of five hundred masters instead of one. It would seem, indeed, to be unquestionably true, that before a part of any community can be justly deprived of the rights and privi-

leges, to which they are entitled by the constitution and laws, there must have been some great and palpable injury offered by them to the society of which they are a part. But did this happen in the case of the first settlers of America? or did they, by any treasonable combination against, or by any violation offered to, the laws of their country, make it proper, in their country, to deprive them of their birth right? It remains, therefore, that we cannot be deprived of English liberty, though it may appear expedient that we should be despoiled of it. But after all, my dear friend, the ways of Heaven are inscrutable; and frequently, the most unlooked-for events have arisen from seemingly the most inadequate causes. Possibly this step of the mother country, though intended to oppress and keep us low, in order to secure our dependence, may be subversive of this end. Poverty and oppression, among those whose minds are filled with ideas of British liberty, may introduce a virtuous industry, with a train of generous and manly sentiments, which, when in future they become supported by numbers, may produce a fatal resentment of parental care being converted into tyrannical usurpation. I hope you will pardon so much on this subject. My mind has been warmed, and I hardly know where to stop," &c.

Mr. Lee was again elected in the spring of 1764, to the House of Burgesses; and being determined to make an effort to induce the house to express its opinion of the declaratory act, by some solemn and efficient measure, he brought forward the subject soon after the meeting of the Assembly. The passage of the act had been made known to the House of Burgesses, by the colonial agent, Mr. Arthur Lee, a brother of R. H. Lee. After great deliberation, a special committee was appointed to draught an address to the king, a memorial to the House of Lords, and a remonstrance to the House of Commons. Mr. Lee was placed on this committee, and selected to prepare the address to the king, and the memorial to the lords; and these are the first public productions from his pen, so far as it can be ascertained. The author has

the original manuscripts of these documents, with which the journals of the House of Burgesses correspond, as may be seen from the journals of the House of Burgesses, November, 1764, p. 38, &c. They contain the genuine principles of the revolution, and abound in the firm and eloquent sentiments of freemen. The successful vindication of these principles has rendered our revolutionary struggle glorious. They form the basis of our free institutions, and adorn their superstructure.

In one who so clearly perceived the gross fallacy of the principle of the declaratory act, and the consequences which would result from it in practice, it was not strange, that it should have produced a feeling of deep concern, mixed with indignation, against those who had devised a scheme so adverse to the rights, and so threatening to the prosperity of his country. Mr. Lee constantly and vehemently denounced it; and expressed on all public occasions the opinion, that the colonies were no longer free. So strongly was this opinion impressed upon his mind, and so certainly did he foresee the practical injury which was to be attempted, that he declared his fellow-citizens to be in a state of more than "Egyptian bondage"—and maintained that liberty, British liberty, could not co-exist with the assertion of a principle, contrary to the constitution. He was too well versed in the nature and forms of other governments, and too well acquainted with the actual condition of their inhabitants, to compare with them the real situation of the colonies, and the political privileges yet possessed by them. But this comparative freedom did not satisfy him, whose mind was stored with historic recollections of the exertions of his English ancestors, for what they termed their "birth-rights," and animated with the love of liberty.

The declaratory act of 1764, was followed by the practical application of the principle it asserted, and the famous stamp act, passed by the British Parliament in the winter session of 1765, was to take effect at the beginning of the following November. Mr. Lee considered this

act "a fatal blow" to the liberty of America; but his opinions and sentiments will be best illustrated by the following letters written about that period.

CHANTILLY, Va.
JULY 4, 1765.

"MY DEAREST SIR—By Captain Talman, I was favoured with your obliging letter of April last, before the receipt of which, I had been informed of the fatal blow given to American liberty, by the ever to be detested stamp act. I am greatly obliged to you, my best friend, for your design of helping me to that collection;* but it is very well that the appointment has passed me, since, by the unanimous suffrage of his countrymen ..... is regarded as an execrable monster, who with parricidal heart and hands, hath concern in the ruin of his native country. The light in which our Assembly viewed that act, may be collected from their resolves at the last meeting, which occasioned their dissolution. I would have sent you a copy, had I not been persuaded that some of your numerous friends had done so already.

"Have you read a pamphlet said to be written by George Grenville, in which he has, in vain, laboured to prove the legislative right of Britain to tax America? If no better arguments can be produced in support of the measures he contends for, it proves the intrinsic vileness of his scheme; and shows indeed, that systems calculated to destroy public liberty, can be maintained only by idle sophistry and a poor affectation of wit. It is most clear, that such doctrines are as far remote from true policy as they are apparently the production of a futile dealer in expedients, who understands not to draw the necessary supplies of government from such sources only

* Mr. Lee, by the persuasion of some of his friends, had been induced, on the first mention of the stamp act, to apply for a collector's office. He, however, quickly discerned the design and principle of the act, and stopped the application. See his vindication presently.

as are consistent with the end of all government, the safety, ease, and happiness of the people.

"Yours affectionately,

"Richard Henry Lee."

The same day on which the above letter was written, Mr. Lee wrote to his brother Mr. Arthur Lee, then in London, who had consulted him on the propriety of making that city his permanent residence. He strongly dissuades his brother from such a step, and urges the claims which his native land had to all its sons, particularly to such as had acquired a knowledge of arts and science. In this letter, written so early in Mr. Lee's political life, may be seen his estimation of the importance of knowledge and learning, to the true and lasting welfare of a nation. These enlightened sentiments he never ceased to enforce, not only by all the power of his eloquence, but also by his example, throughout a useful and bright career. After writing on matters of private concern, he thus introduces the subject which seemed ever near his heart, the cause of his country:

"Every man in America hath much reason to lament with you, the loss of American liberty. As bad indeed as Egyptian bondage, is now become the fate of every inhabitant of America, by the mother country being converted into an arbitrary, cruel, and oppressive stepdame. But this most unjust proceeding (the stamp act) against us, should instruct every American, that as liberty can never be supported without arts and learning, a diligent attention to those should be the ruling object, with every thinking man. But then, my brother, when these, or either of these are acquired, should not their possessor import them into his native country; which, if forsaken by the best of her sons, must fall into barbarous ignorance, and of course, become a fit subject for tyrannical natures to impose arbitrary and injurious acts upon. Should America make the same progress in the arts and sciences, as she infallibly must do in numbers of people, despotism will quickly learn, that her friend-

ship is on no other terms to be obtained than by a free intercourse and equal participation of good offices, liberty and free constitution of government.

America, then, has a parent's claim to her descendants, and a right to insist that they shall not fix in any place, where, by so doing, they may add strength to cruel and tyrannical oppression.

I am, my dear brother, ever your affectionate, faithful friend,

RICHARD HENRY LEE.

Mr. Lee did not confine his exertions in opposition to the stamp act to letters to distant correspondents; but, very soon after it became a law, he determined to exert all his powers in open and direct attempts to defeat its operations in Virginia. In a paper that follows, will be seen the bold and efficient means he took to effect this object. When we reflect upon the state of the laws of the colony at this period, we cannot but admire the adventurous spirit manifested by this ardent patriot. The laws were still in the hands of the officers of the crown, and Mr. Lee exposed himself to their pains and penalties. But no considerations of personal safety or convenience appear to have had any weight with him, when his country claimed his services. The same intrepid spirit, which, in 1765, led him to place himself in the front of opposition, actuated him throughout the momentous struggle that followed. In the course of this Memoir, the reader will remark, that his firmness and intrepidity never forsook him. In the gloomiest period of the revolution, when nearly all hearts began to faint, and the boldest asserters of freedom to despond, Mr. Lee exhibited the same firm and unshaken fortitude in council, which distinguished his friend and fellow citizen, Washington, in the field.

Among the various methods which Mr. Lee took to prevent the operations of the stamp act, the most prominent was to form an association for the purpose of deterring all persons from accepting the office of vender of

stamp paper, and for awing into silence and inactivity those who might still be attached to the supremacy of the mother country, and disposed to advocate the right of colony taxation. A copy of the original draught of the articles of the association, written by Mr. Lee, and kept by him, as the head and leader of the combination, is here inserted. This association was true to its pledge, and tended to spread extensively the spirit of resistance.

"Articles of association, by the citizens of Westmoreland, for the purpose of opposing the stamp act.

Roused by danger, and alarmed at attempts foreign and domestic, to reduce the people of this country to a state of *abject and detestable slavery*, by destroying that free and happy constitution of government under which they have hitherto lived; we, who have subscribed this paper, have associated, and do bind ourselves to each other, to God, and our country, by the firmest ties which religion and virtue can frame, to stand by, *and with ourselves and fortunes* to support, maintain, and defend each other, in the observation *and execution* of these following articles:

1. We declare all due allegiance to our lawful sovereign George the Third, King of Great Britain, and we determine to the uttermost of our power to preserve the laws, the peace, and good order of this colony, so far as is consistent with the preservation of our constitution, our rights, and liberty.

2. As we *know* it to be the birthright privilege of every British subject, (and of every Virginian, as such,) founded on reason, law, and compact, that he shall not be tried but by his peers, and shall not be taxed but by the consent of a parliament, in which he is represented by persons who themselves pay a part of what they impose upon others. If, therefore, any person or persons shall attempt, by any action or proceeding, to deprive this colony of those fundamental rights, we will immediately regard him or them as the most dangerous enemy of the community; and we will go to any extremity, not

only to prevent the success of such an attempt, but to stigmatize and punish the offender.

3. As the stamp act does absolutely direct the property of the people to be taken from them, without their consent, expressed by their representatives; and as, in many cases, it deprives the British American subject of his right to be tried by jury, *we do determine, at every hazard, and paying no regard to danger or to death,* to exert every faculty to prevent the execution of the said stamp act, in every instance whatever, within the colony of Virginia; and every *abandoned wretch,* who shall be so lost to virtue and public good, as wickedly to contribute to introduce the said act into this colony, by using stamp paper, or by any other means, will, with the utmost expedition, be convinced, that immediate danger and disgrace shall attend his prostitute purpose.

4. That the last article may most surely and effectually be executed, we engage to each other, that whenever it shall be known to any of this association, that any person is so conducting himself as to favour the introduction of the stamp act, immediate notice shall be given to as many of this association as possible; and every individual, so informed, shall, with expedition, repair to some place of meeting, to be appointed as near the scene of action as may be.

5. Every associator shall use his true endeavour to obtain as many signers to this association as he possibly can.

6. If any attempt shall be made on the liberty or property of any associator, for any action or thing to be done in consequence of this agreement, we do most solemnly bind ourselves, by the sacred engagements entered into, at the risk of our lives and fortunes to restore such an associator to his liberty, and to protect him in the enjoyment of his property.

In testimony of the good faith with which we resolve to execute this association, we have, this 27th day of February, 1766, put our hands and seals hereto."

The devotion of Mr. Lee to the cause of his country

did not evaporate in argument, or waste itself in idle declamation. It led him, while even yet the insignia and representatives of royalty were "on the high places" of the land, and while crown law and crown officers were still strong, to dare open and direct opposition to the devices of arbitrary power. He was active in rousing, informing, and leading his fellow citizens, and obtaining numerous signatures to the articles of the association.

He was, at this time, the captain of a volunteer company of light horse, in his county. The members of this company, warmly attached to him, and confiding in his courage, and in his knowledge of the rights of America, had joined the association, in a spirit congenial with his own. A person, whose name need not be mentioned here, had not only declared his intention to use stamp paper, but had accepted the office of stamp collector. When Mr. Lee was informed of these circumstances, according to the fourth article of the association, he gave notice to as many of the members of it as he could, and summoned his company of horse. They proceeded to the residence of the stamp collector, and required him to bring out his commission, and all the paper he had in his house, and deliver it to them; and also to bind himself, by an oath, neither directly nor indirectly to promote the sale or use of stamp paper. The collector expostulated, hesitated, and at length refused. A stout and fierce-looking man of the troop advanced at this moment to him, and with a stern look and penetrating voice addressed him, "Swear." The terrified collector pronounced the oath, and brought out his commission and stamp paper, which were solemnly burnt in his presence.

The person, whom Mr. Lee and his associates had thus compelled to abandon the support of the stamp act, notwithstanding the unpopularity of it, had declared that he would use stamp paper, in clearing out the first vessel he should freight for England. He was a man of wealth and influence, and might have been very instrumental in introducing into use, the odious paper,

and in encourageing those who were attached to the views of the present ministry. Mr. Lee was aware of this, and took every mode he could devise, to excite the vengeance of the people against him. For this purpose, he published the following address to the people of Virginia, which was admirably adapted to the comprehension of the people generally, and to the state of feeling then existing.

"TO THE GOOD PEOPLE OF VIRGINIA.*

"FRIENDS AND FELLOW CITIZENS—It is the business of every honest man, when he knows that any thing is about to be done, by which his countrymen will be ruined, to give them timely notice of the danger, that they may take proper care to save themselves from the destruction that threatens them. I shall, therefore, point out the mischief; I do not doubt, that you will, like brave and free born men, do your endeavour to prevent it.

"When your fathers came first from England, to discover and settle this country, they had a right to, and did enjoy, the same liberties with the rest of their fellow subjects in England. And the king, at that time, knowing what great benefit it would be to England, to settle this country, and what great dangers the first settlers must meet with, did give them his royal word, in an instrument, called a charter, that they and their children, and all who came after them, should hold their liberty and property, as the people of England did, and as they would have done, had they remained there. Now, one of the best rights that Englishmen enjoy, is, that their property, *their living*, shall not be taken from them, *nor any part of it*, except by the consent of those members or burgesses, whom they shall choose at their elections to represent them. Because, if the burgesses, who are chosen by them, and live among them, and have estates

* From Mr. Lee's manuscript.

among them, should lay a tax upon the country, they will have to pay their proportionable part; and besides, if they do wrong, and lay taxes without reason, the people can turn them out, at the new elections. This reasonable right, you know, my contrymen, we have all along enjoyed. Nor did one fellow subject in England, ever doubt it, until lately, when the stamp act was passed; which, if excuted, it is supposed, would take from this poor country, at least, fifty thousand pounds sterling every year; a sum twice as much, as all our taxes by our assembly yet amount to, *and which must ruin us all.* Nay, I question, whether in a few years, we should be able to pay this tax, even though we *should sell our lands and slaves, with our wives and children into the bargain.* And what is worse than this, if the stamp act should go down here, the people of England will go on to tax us every year, *because the more they tax us, the less necessity will there be to tax themselves.* And because our freeholders do not vote at their elections for members of Parliament, and, therefore, cannot displace them, let them do what they will. As it is well known from these reasons, that the stamp act would certainly ruin the people of this colony, by taking away their *liberty* with their property; many of our worthy countrymen, by their conduct at Williamsburg, the thirty-first of October last, have hitherto prevented this cruel act, from going into operation in Virginia; for no paper can now be had, as the stamp master has resigned his office. This I am told, is the case in all the other colonies; the people every where, abhorring the act as we do. When this is so well known to be the opinion every where, does it not deserve your highest indignation, and ought you not to punish in the severest manner, ... if he should do, what he has the matchless impudence to declare he will do? for he has said, he would clear out his vessel on stamp paper, which he knows where to get—from abroad no doubt. Now it is plain, if you permit ..... to set this example, other merchants will follow it, and thus the stamp act, which is to destroy our liberty,

will be established in trade; from trade, will creep into our courts of justice, and from thence, into every branch of business in this country. Now is the time, my countrymen, by nipping in the bud this wicked design, to show the world, that you determine to hand down to your children, the liberty given you by your fathers; and that will not suffer the execution of the stamp act, by which you, and your children are to be made slaves, and your property to be taken from you by violence. On this occasion, every one should think alike; every one should look on ....., as the greatest enemy of his country, and who should be punished, unless he immediately give up his intention to use stamp paper, and publicly inform us of this change of his opinion. Let us so do with this man, *that fear may haunt him in his dreams,* and in the *day find no safety,* while he gives every one of you reason to be his enemy, and makes it your *duty* to be his foe. This self-interested man says, it will be hard on him, not to send out his *grain;* but, will it not be harder on the good people *of Virginia, to loose their liberty?* And shall we ever agree, that the good of *all,* should be given up for the *interest of one man?* Let it never be forgotten by my countrymen, that the safety of the people is the supreme law, and that no private interest, nor any other consideration, should destroy this.

A Virginia Planter."

The boldness and energy, with which Mr. Lee opposed the stamp act, rendered him peculiarly obnoxious to those, who from interest, or any other motive, were attached to the authority of England. His popularity and his eloquence, made him an object of their fear and their hatred. It will readily be imagined, that every effort was made to lessen his influence, both in the Assembly and with the people. Among the many arts used by the adherents of arbitrary power, to effect this object, the most alarming, was an accusation of having applied

for the place of stamp collector, and of having turned an enemy to the act, and a popular demagogue, from disappointment. This charge having had some ground to support it, began to produce the effect intended; at least, among those who were not acquainted with Mr. Lee. As he had explained the matter to the people of Westmoreland, they henceforth treated it with contempt; but it now became necessary, to publish a candid account of the motives which induced him, to make such application, and afterwards to decline the appointment, even before the final passage of the act. The statement of the whole transaction, completely exculpated him from the dishonourable motives alleged to have influenced him in his conduct. His enemies had the mortification to find, that their attempts to injure him, served only to raise him higher in public estimation; and to be still more admired and caressed, as an able and patriotic asserter of the rights of his native country. His address to the Editor of the Virginia Gazette, is here presented to the reader.

WESTMORELAND,
JULY 25, 1766.

"SIR—To remove the painful consideration that one worthy person should be induced by misrepresentation, to think ill of me, is the reason which prevails with me, to desire you will be good enough to insert what follows, in your next gazette.

"I am, Sir, your humble servant,

"RICHARD HENRY LEE."

"Early in November, 1764, I was, for the first time, informed by a gentleman of the intention of Parliament to lay a stamp duty in America, with a friendly proposition on his part, to use his influence to procure for me the office of stamp collector. I call it friendly, because I believe the gentleman no more than myself, nor perhaps a single person in this country, had at that time, reflected the least, on the nature and tendency of such an act. Considering this only in the light of a benefi-

cial employment, I agreed the gentleman should write, and I wrote myself. It was but a few days after my letters were sent, that reflecting on the nature of the application I had made, the impropriety of an American being engaged in such an affair, struck me so strongly, that I determined to exert every faculty I possessed, both in private and public life, to prevent the success of a measure, which I now discovered to be in the highest degree, pernicious to my country. I considered that to err, is certainly the portion of humanity; but that it was the business of an honest man to recede from error as soon as he discovered it; and that the strongest principle of duty called upon every citizen to prevent the ruin of his country, without being restrained by any consideration which could interrupt the primary obligation. But it did not appear to me that a promulgation of my application was necessary, as I conceived that my actions would be the strongest proofs of the rectitude of my intentions. That such was the conduct held by me in public, I desire not to be credited on my bare assertion, but with confidence I appeal to the many worthy gentlemen with whom I served in the General Assembly. They know who first moved in the House of Burgesses, for the address to his majesty, the memorial to the Lords, and remonstrance to the House of Commons; they also know what part I took in preparing those papers. For my uniform opinion and conduct in private, I safely refer to all with whom I have the pleasure of an acquaintance. Such being my principles and such my conduct long before my letters could possibly have reached England, before the act passed, and therefore before the appointment of any distributor, I leave the impartial reader to determine, with what truth and propriety it has been asserted, that my opinion of the act was not discovered until I was certain of being disappointed. But as a further confirmation, if a further is necessary, of my early determination to depart from the application I had made, no duplicates of my letters were ever sent; and by their not arriving until many months

after the appointment of distributor was made, no measure was ever taken by my friends in consequence of what I had written. From this state of the case, as exactly related, as my memory can serve me to relate the circumstances of a transaction now of twenty months standing, it will appear to every considerate and candid person, that my proceeding amounts to nothing more than the having made a hasty application, the impropriety of which was presently discovered, and a constant tenor of conduct pursued, that operated (as far as my powers could make it) to prevent my success in a point I am very untruly supposed to have wished for until I found myself disappointed. Thus much I have judged it necessary to say in justice to my character, and to say more would be trifling with the public.

"RICHARD HENRY LEE."

The stamp act was equally unpopular in other colonies. Connecticut and New York, manifested particular abhorrence of the principle assumed in it; but Massachusetts led the northern and eastern colonies in their opposition to the measure, exhibiting an early and clear perception of its unconstitutionality, and a bold and patriotic determination to resist it. Even now, she had arisen the star of liberty in the east, which, beginning to burn brightly, afterwards continued so steadily and gloriously to illuminate the bodies around her; while Virginia to the south, was already glowing in the firmament, a "living sapphir."

The ministry were now convinced, that nothing less than military force could compel obedience to the stamp act; and the people of England began to grow tired of a measure, which without producing any practical good, had already excited much dissension, and threatened incalculable injury to the empire. The administration of Lord Grenville having become unpopular, and the king having taken offence at the manner in which the regency bill had been drawn up, could no longer sustain itself. The Marquis of Rockingham, an upright and

popular nobleman, was at the head of the new administration: he had always disapproved of the proceedings against America, and one of the first important acts of his ministry, was the repeal of the stamp act; but this was accompanied by a declaratory act, asserting the right of the mother country, "to bind the colonies in all cases whatever." The repeal, notwithstanding the declaratory act, gave great joy, especially to the south. The commercial regulations still continued in force, and the northern cities were far from being satisfied. Although Mr. Lee participated in the joy so generally expressed, he did not however cease to feel great apprehension from the spirit which appeared in the declaratory act. He constantly expressed his conviction that the absolute authority thus formally asserted, would, ere long, be again attempted in practice. Yet willing to hope for the best, he did not wish to cloud unnecessarily, the prospect of happier times. But his antipathy to the stamp act, and its friends and supporters, was as strong, as when it was hanging over the land. The following anecdote will show this, and will also exhibit his zeal, in behalf of the rights of his countrymen. His purse was at the service of his country, and in this respect, he continued throughout the revolutionary contest, to prove his readiness to sacrifice his fortune, as well as his talents and life, to promote her interests. Mr..... who had been a supporter of the proceedings of the mother country, had refused to join in the general joy, on the repeal of the stamp act. This conduct was indignantly beheld, and violently resented, by a warm, perhaps indiscreet person of the name of Seers, and a verdict in an action at law, was obtained against him by this adherent of kingly power. To show their detestation of toryism, Mr. Lee, and at his suggestion, many inhabitants of the county, subscribed money *to satisfy the judgment.* A copy from the original manuscript, as written by Mr. Lee, is here inserted. It contains the signatures of the subscribers, in their own hand writing. And comparatively unimportant as it is, this list has often excited

in the breast of the author, feelings of attachment to the men, who seemed so devoted to their country. It is one of those genuine evidences of the patriotic spirit of the times, which is worthy of a place among records of apparently a more exalted character.

"In testimony of our entire approbation of the virtues and manly spirit with which Mr. John Sears, of Essex county, resented the contumacious and vicious conduct of . . . . ., in refusing to join the general joy of Virginia on the repeal of that most arbitrary, unjust, and tyrannical act imposing stamp duties in America, and utterly abhorring all principles by which he can be injured for having so acted, we agree most willingly to pay the sum of money, by each of us subscribed, to Mr. Sears, or his order, on demand, thereby to prevent the bad consequences of a late judgment obtained against him, and also to evince our attachment to the cause of liberty *by supporting its generous asserters.*

Richard Henry Lee,	20	shillings.	
James Davenport,	10	do.	
John Lee, - -	5	do.	
Jno. Martin, - -	5	do.	
Francis L. Lee, -	5	do.	more if necessary.
Richard Parker, -	5	do.	my intention is to indemnify; more if necessary.
Wm. Booth, - -	5	do.	
Thomas Ludwell Lee,	5	do.	more if necessary.
Wm Lee, - -	5	do.	do.
Arthur Lee, - -	10	do	do.

CHAPTER III.

The repeal of the stamp act having restored harmony between the mother country and the colonies, particularly the southern colonies, nothing occurred, during the short administration of Lord Rockingham, to excite any sensation sufficient to call into public action the talents of the leading men in Virginia. Mr. Lee, though now living more retired from public employment, still gave a close attention to the political affairs of Great Britain. He cultivated his acquaintance with gentlemen of intelligence in England, and obtained from them the earliest information on American affairs. This information he was active in communicating to his fellow-citizens by letters, conversation, and by publications. Feeling a conviction that the opinions of British statesmen, no less than the wants of the British exchequer, would lead to a repetition of the late violation of the rights of the colonies, he endeavoured to prepare the minds of the most influential men for effectual resistance.

His biographer, in tracing Mr. Lee's public course during the years 1765 and 1766, had no appropriate place in which to mention an incident in his life, of great and durable interest to himself, and of no little moment to the public good. This was his first acquaintance with the celebrated patriot and orator, Patrick Henry. From the character and principles of these two men, the reader will have anticipated the mention of the fact, that a mutual admiration of each other quickly followed, and that a warm friendship and hearty coalition on public questions soon existed between them. This was the certain consequence of the intercourse of men of such congenial feeling and similar principles. This friend-

ship and harmony of principle existed until their death. Two such men, during the period which followed, acting in close and active concert, must have had a powerful influence on the public opinions and proceedings of their native state. And, indeed, to the genius, integrity, and eloquence of these great men may be attributed, in a very considerable degree, the confessedly distinguished part which Virginia acted in the revolution. They aroused their fellow-citizens to a sense of their danger; they cheered and animated them in the dark hours of war and desolation; suggested the most efficient means of resistance; and directed the patriotism, they found so generally existing, to the wisest ends. The only subjects on which they differed, in after times, were the payment of British debts, and the necessity and propriety of making paper money a legal tender for debts contracted on the expectation of payment in coin. This difference, however, produced no abatement in their friendship, while it gave occasion to debates in the Virginia assembly, which exhibited as splendid and beautiful specimens of eloquence, as ever excited the admiration and controled the proceedings of any deliberative body, ancient or modern. Mr. Henry observed to a son of Richard H. Lee, who had the pleasure of serving a session some years afterwards with him, "your father, sir, and myself always agreed upon the great principles of freedom. We differed on some questions of internal policy, but liberty we alike fondly loved." He was not a member of the Assembly of Virginia when Mr. Lee moved the address to the king, the memorial to the lords, &c. which have been mentioned. Mr. Lee, therefore, had not his aid in carrying, through the House of Burgesses, that measure which was indisputably (at least south of Massachusetts) the first legislative opposition to the right of the mother country to tax America. Mr. Lee, although a member of the House of Burgesses in 1765, had not reached Williamsburg when Mr. Henry introduced his famous resolutions against the stamp act. He, however, heartily concurred in the propriety of

adopting them, although doubts were entertained by all the older members of the house. Both of these men were remarkable, for that decision of character which led them, thus early, through opposition and danger, to advise resistance to the mother country.

The internal concerns of the colony, at this time, engaged the attention of the House of Burgesses. The leaders of the patriotic party were anxious to weaken, by all the means in their power, the weight and influence of the court party. The office of speaker of the house and treasurer of the colony had long been united in the same person. This circumstance had always given great influence to the person holding these places, who was always an adherent of the British court. Mr. Lee, therefore, determined to make an effort to effect the separation of the two offices, and accordingly moved, "that the two offices be now separated, and be henceforth filled by different persons." His motion met with vehement opposition; he resolutely urged it, Mr. Henry advocated it, and, after a long and animated debate, the motion was adopted. This measure essentially aided the popular cause, and removed a serious obstacle to the patriotic resistance made, shortly afterwards, to the further violation of American rights.

At this time the great earl of Camden, then Lord High Chancellor of England, was known to be opposed to the principles on which the English ministry were endeavouring to impose taxes upon America. He was known, too, to cherish the most friendly sentiments towards the American people, and had always been a supporter of the popular features of the British constitution. The great and commanding talents of Lord Camden, exerted in the support of such sentiments, had endeared him to the colonies, and rendered him more popular than even Lord Chatham. With a view to strengthen the good opinion, and to ensure the exertions of this eminent statesman and lawyer in behalf of America, Mr. Lee suggested, to his friends in Westmoreland, the idea of procuring a meeting of the people of the county, to ex-

press their thanks to Lord Camden for his opposition to the stamp act, and to ask his aid in opposing all similar attempts. He also proposed to them to subscribe money enough to procure a likeness of Lord Camden, and to ask his lordship to sit for it. It was intended to place this portrait in the court-house of the county. A meeting was called and numerously attended, and Mr. Lee's propositions were unanimously adopted. The requisite sum was quickly raised, and Mr. Lee was appointed to address Lord Camden, and inform him of the resolutions of that meeting. The following is his letter to that nobleman.

WESTMORELAND, VA.

"My Lord—Wonder not, that the people, in this remote part of his majesty's dominions, revere your lordship's character; and since there is no part of the British Empire, which does not feel the influence of Lord Camden's virtues, America in particular, must ever regard your lordship, as the patron of its liberty, best possession of human nature.

Prompted by gratitude, they entreat your lordship to accept their humble thanks, and to favour them with permitting your likeness to be taken, that it may remain a memorial to posterity, of their veneration, and of the inestimable benefit derived to British America, from your lordship's protection.

I have the honour to be, my lord, your lordship's most obedient and devoted servant,

Richard Henry Lee.

To the Rt. Hon. Charles Lord Camden,
Lord High Chancellor of Great Britain."

Mr. Lee was appointed to carry into effect the wishes of the people. He accordingly wrote to Mr. Edmund Jennings, a gentleman in London, of great virtue and respectability, and a friend to the colonies. His letter to that gentleman, while it shows the devotion of Mr. Lee, to the rights of America, evinces his predilection for the natives of his country. In this letter is contained,

the earliest mention, which the author recollects to have seen, of our famous countryman, West.

CHANTILLY, VA.
JUNE 1, 1767.

"DEAR SIR—I hope your goodness will pardon me, for the trouble I am going to give you. The gentlemen of Westmoreland, having a great veneration for the character of Lord Camden, particularly for his honourable support of America's liberty against the stamp act, wish much to have his lordship's picture to grace their court house. For this purpose, they have paid into my hands 76*l.* 8*s.* for which, I enclose you two bills of exchange, and beg the favour of you, to wait on Lord Camden, with the enclosed letter; which intreats his lordship's permission, to the taking of his picture. This being obtained, I must leave to your judgment, the choice of a limner, only observing that the gentlemen would prefer Reynolds, unless you think his difference in price, greater than his superiority in painting. Indeed, I cannot help observing for my part, that I think *Mr. West being an American, ought to be preferred in this matter,* if his skill should approach near to that of the best limner, as I am told it does.

I must again entreat your forgiveness, for troubling you in this affair. I thought you would not be displeased, at this testimony of our esteem for the patriot, whose virtue has saved our common country.

I am with much esteem, dear sir, your affectionate and obedient servant,

RICHARD HENRY LEE.

TO EDMUND JENINGS,
at his Chambers, Lincoln Inn, London."

Mr. Jenings delivered Mr. Lee's letter, and the resolutions of the people of Westmoreland, to Lord Camden, who promised to comply with their request; but he deferred it so long, and on such pretences, that Mr. Jenings thought, that he deemed it prudent not to

fulfil his promise. Mr. Jenings' letters on the subject, are as follow:

"Dear Sir—As I have now but little hope of executing the commission of the gentlemen of Westmoreland, it would be improper in me, longer to detain their subscription money; and therefore, if you will draw on me at Mr. James Russel's, your bill shall be duly honoured.

I have taken much pains, be assured, to obtain Lord Camden's portrait, and am sorry for the sake of the gentlemen of Westmoreland, and for his lordship's and my own honour, that I have not succeeded. I once thought myself sure of it; but am now taught that men here, have other ambition, than to be esteemed and honoured by their fellow citizens. Should the varying politics of this country suffer his lordship at any future time, to sit to a limner, I shall take the liberty of troubling you, to induce the gentlemen of Westmoreland, to honour me with the acceptance of his portrait from me.

The newspapers here, talk of changes and a coalition of parties. I am indifferent to the first, and I think the last would be dangerous; the first would produce no change of measures, and the last would be an irretrievable confirmation of public mischief. Nothing but a new system can give comfort to the people, and honour to his majesty; and it is thought, no new systems are likely to be voluntarily adopted, but must necessarily arise from some dreadful calamity.

I am, dear sir, yours most affectionately,

Edmund Jenings.

London, August 17, 1768."

"Dear Sir—In my last letter to you, I expressed my concern, that I could not execute the commission the gentlemen of Westmoreland had entrusted to me. Lord Camden, after having appointed several different times for Mr. West's attending on him, hath at length, it seems, totally forgot his promise. The times are so bad, that

no man can be depended on, and therefore, although his lordship has done undoubted service to America and to England too, yet, I am not sure, if the general rumour is to be believed, but that he will adopt a system, in a line different from that, which fair fame and honest independence would mark out.*

Draw for the money, and should his lordship at any time recollect his engagement, and be worthy of your approbation and honouring, I shall beg the gentlemen, to accept from me, his portrait.

I am, your faithful humble servant,

EDMUND JENINGS."

Mr. Lee and his fellow citizens, were very anxious to have a likeness of Lord Chatham also. This was intimated to Mr. Jenings; but as Lord Chatham was at the head of the ministry, it was thought indecorous to request him to sit for it. Mr. Jenings however, had a very fine likeness of him copied, and sent it, as a present, to the people of Westmoreland, and it is still in the court-house of that county. On receiving this portrait, Mr. Lee wrote the following letter to Mr. Jenings:

CHANTILLY, VA.
MAY 31, 1769.

"DEAR SIR—The gentlemen of Westmoreland, desire me to return their hearty thanks to you, for your very genteel present of Lord Chatham's picture. It arrived in fine order, and is very much admired. They propose to place it in the court house, thinking the assembly may furnish themselves, with his lordship's picture.

The gentlemen are not without hopes, that they may yet obtain Lord Camden's portrait, as they seem very unwilling to believe, that that great man can so apostatize from a virtuous cause, so ably and invincibly defended by himself, as to put it out, even, of his own power, to make the American so much, as doubtful.

* He was mistaken.

Dr. Lee, my brother, can show you the proceedings of our last Assembly, by which, you may judge, how bright the flame of liberty burns here, and may surely convince a tyrannous administration, that honesty and equity alone, can secure the cordiality and affection of Virginia.

I am, dear sir, your affectionate friend,

RICHARD HENRY LEE."

In the year 1767, two acts affecting the colonies passed the Parliament. One was the revenue act of '67, framed by Charles Townshend, laying *a tax on tea;* the other, was an act requiring the legislature of the colony, "to make provision for quartering a part of the regular army." Although the tax on tea was but three pence per pound, Mr. Lee quickly perceived the vicious principle assumed, and he renewed his efforts to awaken the minds of his countrymen to the dangers that threatened them from these acts, which, if once submitted to, would (to use his own words, quoted before) reduce his country to a state worse than that "of Egyptian bondage." The reconciliation produced by the repeal of the stamp act, had never been as sincere and hearty to the north, as it had been to the south, in consequence of the trade laws. The late duties on paints, glass, and tea, oppressed the commerce of the large trading towns of the northern colonies. This state of feeling was exhibited, in the proceedings of the assembly of New York. It refused obedience to the act concerning the billeting of the regular soldiery. The ministry resented this disobedience, and suspended the legislative powers of that province. This proceeding produced great sensation throughout the colonies. Mr. Lee, a watchful sentinel on the walls of freedom, immediately discerned the approach of danger, and while it was yet at a distance, he determined to make every effort, to convince his fellow subjects in Virginia, that this measure of the ministry, threatened them with equal danger. Accordingly, he moved, in the House of Burgesses, as soon as

it commenced its session, a petition to the king, stating in strong and pointed terms, the grievances under which the colonies suffered, in consequence of the proceedings against the colony of New York, and the existence of the revenue laws, and praying for a redress of them. The original draught of this petition, is in the possession of the author. The following is a letter which Mr. Lee wrote to a gentleman, of influence in England, on these subjects.

CHANTILLY, VA.
MARCH 27, 1768.

"MY DEAR SIR—'Tis a pleasing reflection to one who loves his country, that some few, at least, are to be found, who watch over the public good, and having wisdom to discern with spirit to promote, the general good, will not silently suffer encroachments to be made on the rights and liberty, of the community. My long acquaintance with you, my friend, gives me a right to number you, among such worthy citizens. It being a common observation, does not lesson the value of it, that a prudent man should lend his assistance to extinguish the flames, which had invaded the house of his next door neighbour, and not coldly wait, until the flame had reached his own. History does not more clearly point out, any fact than this, that nations which have lapsed from liberty, to a state of slavish subjection, have been brought to this unhappy condition, by gradual paces. Great Britain, it seems, having discovered the error of attempting our ruin, by one bold and general stroke, has, at length, fallen on a method of singly attacking the colonies, hoping that the others will quietly behold the destruction of one, not immediately and sensibly, connected with the rest. But, though, the billeting act is not yet enforced upon *us*, we are equally with New York in the view of that oppressive measure, *for I cannot agree to call it law.* An act for suspending the legislature of that province, *hangs, like a flaming sword,* over our heads, and requires, *by all means, to be re-*

moved. The late duties on paints and glass, though not perhaps, literally, a violation of our rights, yet as the connection between us and the mother country, renders it necessary that we should, excluding all other nations, take manufactures, only from her, in this light, the imposition becomes arbitrary, unjust, and destructive of that mutually beneficial connection, which every good subject would wish to see preserved. To obtain redress, sir, on these points, and to inform posterity what were our sentiments on them, it seems indispensably necessary, that a dutiful, decent, but firm address, should be presented to his majesty, by the Assembly, requesting his royal interposition, for the repeal of these acts. This method, you know, my friend, is constitutional. The subject, when aggrieved, has a right to appeal to the sovereign, for redress; and we have his royal word for it, (in a late speech to Parliament,) that he will equally protect the rights of all his people.

The unhappy wound,* which I received in my hand, will not yet permit me to travel, and indeed, I am sorry for it, as it would give me great pleasure to add, on this occasion, my poor assistance, to the friends of liberty, contending for their country's rights.

I am, yours with esteem, &c.

RICHARD HENRY LEE."

The author, while looking over a manuscript letter-book of Mr. Lee, was struck with the devotion with which he gave himself to the interest of his country. It seems to have commanded his heart with unceasing solicitude. Even in his private concerns, he never lost sight of this subject. In a letter to a merchant in London, he enclosed a list of persons in his county who had sub-

* Mr. Lee received a wound in his hand, by the bursting of a gun, while shooting swans. By this accident, he lost all the fingers of one hand. He was, however, able to go to Williamsburg, to the meeting of the House of Burgesses.

scribed for a quantity of tea; that part of the letter which relates to the *tea*, cannot fail to interest the reader. In the conclusion of it, he thus writes:

"I have been concerned to find, that your friends here are much surprised and displeased at the charge you have made of the parliamentary duty on tea. I confess it is extremely disagreeable to me, and I earnestly entreat that you, sir, whom we esteem here as our very good friend, would not lend a helping hand to deprive us of the most valuable of all possessions, our liberty. But certainly an arbitrary ministry will for ever proceed to tax and distress us, if they find the merchants will condescend to become their collectors, and so make the collection of a duty easy, which otherwise they never can get in. And I am very sure, that nothing can prevent the people here from regarding the trade as their most deadly foe, if they join in making easy of execution those oppressive acts. This act, levying a duty on paper, glass, *tea*, &c. is so unjust, and so badly contrived, that it never can be executed; and you run no risk here, however the collectors may bully and make a noise; for it is certain they do not know what to demand, *and dare not detain a ship on account of these duties.*" Here follows the subscription for the tea; the original paper, which is written by Mr. Lee, (a copy was sent to the merchant,) concludes thus: "We, who subscribe this paper, do oblige ourselves to pay to J. R. Esq. Merchant, in London, or his order, on demand, for the quantity of *tea* by each of us subscribed for. But it is on this express condition that we desire the tea to be sent, that Mr. R. does not make the charge of the late parliamentary duty on tea, as we prefer our liberty to the gratification of our palates, and do not choose to drink our destruction in a cup of tea. Given under our hands and seals, this 27th June, 1768."

It may not, perhaps, be an unpleasant interruption to the strict narrative of this Memoir, to present the reader, in this place, with some letters to Mr. Lee, from his

brother Arthur Lee, Esq.* who was, at this time, in London; and, from his intimacy with many of the leading characters in England at that day, had an opportunity of seeing and hearing every thing which had any relation to the colonies. From the first dawn of the "new colony system," the party in England which was called the "whig" or popular party, took part with the colonies. Lords Chatham, Camden, Shelburne, &c. and Horne, Dunning, Barré, were among them. Mr. Lee enjoyed the honour of the acquaintance and friendship of these persons. Hence his letters, particularly those written in the early stage of our disputes with the mother country, will be found very interesting to politicians. From no history, or collection of contemporaneous papers, can be obtained a more minute detail of the circumstances of the times; a more accurate acquaintance with the conspicuous characters of England, and with the schemes and policy of the different parties, which espoused or opposed the interests of the colonies, than from the letters of Arthur Lee to his brother. One or two of these letters will here follow: many others will be found in a subsequent part of this Memoir, and in the Appendix, No. 1.

LONDON, —— 1767.

"Tho' my dear brother's solicitude about my not frequently and freely writing to him, is exceedingly pleasing to me, as it shows he values my love, as highly as I prize his, yet I cannot acquiesce in the justice of his complaint. For considering the great attention due to the study in which I am now engaged, and the many friends to whom I am bound to write, great indulgence should be granted

* Arthur Lee was an agent in London, of the colony of Massachusetts Bay, before the Revolution. He was afterwards one of our commissioners at the court of France: he was also commissioner from the United States to Spain and Prussia. On his return to America, he was elected one of the board of treasury, and a member of Congress, for several years, from Virginia. He was one of the most learned men of his day, and an able and distinguished diplomatist.

to me, both in point of the frequency and length of my letters.* Neither, indeed, does the state of things furnish matter for much writing. The little detail of politics is too despicable to slander even your leisure hours with; and there is no probability of any change in men or measures with us.

"You will see by the last resolution of the bill of rights, which I desired our brother to send you, what hope we entertain, and what plan we have adopted, to obtain a redress of grievances. You will know the author, by the style. If the people cannot be roused to take some effectual measures at the next general election, "actum est de libertate." Mrs. M'Cauley has written to me, approving highly of the proceedings of the bill of rights. I am under some apprehension of having lost the patronage of Lord Shelburne and Col. Barré, by the part I have taken in the proceedings. Their tools conducted the attempt to dissolve the society, and destroy Mr. Wilkes, whether by their particular direction, I do not know. But as I voted against them, and as their failure has totally sacrificed the popularity of Lord Shelburne, it is not improbable, that he will consider me as a partisan against him, and therefore not entitled to his favour. They are both abroad at present; when they return, your presents shall be delivered. But, whatever may happen, I shall be satisfied with having acted honestly. The public cause, and particularly that of America, which induced me to engage in the society, was the mover of my conduct. Townsend is an opiniated, overgrown schoolboy; Horne is a malevolent, vain, petulant, impudent priest. The former, in his conceit and folly, thought he could lead the city; the other, in his vanity and knavery, conceived that his abilities were equal to Townsend's ambition, and that he should be rewarded. The event

* Mr. A. Lee was, at this time, a student of law. He became a conspicuous and successful advocate, and was in habits of intimacy with Dunning and Glynn, and was often engaged in cases with them. He had studied medicine in Edinburg, and graduated with the botanical prize.

has shown how weak their judgment was, and how impotent their endeavours were, when separated from those who gave them weight and importance with the people. They never appear in public without being hissed; and at a late meeting of the livery, there were but five who voted for recommending Mr. Townsend to the common hall, as lord mayor for the ensuing year. Lord Shelburne suffers for all their follies, and has, therefore, lost his popularity in the city. Expecting redress only from the people, I am determined to stand with them, however my particular interest might advise a different course. You know, by experience, how little profit, and how much obloquy attends such a principle; but you know, too, how much satisfaction springs from a conviction of its rectitude. The present lord mayor and Alderman Bridges will be returned by the livery, and if the aldermen choose Bridges, he will constitute the other his *locum tenens,* so that popular councils will still prevail in the city. Crosby is a plain, determined man, who courts no great man, and looks to the people for approbation and support. He will be returned next year, with Wilkes, so that the aldermen will have little to choose between them, and the liberties of the city will be upheld. I am much obliged to you for your present, duck and brandy. She appears very disconsolate without a mate. The partridges were, by mismanagement, let loose at sea, and perished in the ocean.*

The chief political object, in Europe, at present, is Russia, unless a cession of what she has conquered should procure the Turk an ignominious peace. The revolt of Egypt, will, probably, oblige the Ottoman, to sheath the Russian sword, at any price. Whether the encouraging of so tremendous a power, and especially, the promoting of the Zarina's wish of establishing a large, disciplined and formidable navy, be sound policy in us, to me, is doubtful. We may be cherishing a serpent, which will strike us to the heart.

* Mr. A. Lee was making a collection of the natural productions, &c. of America.

I do not think it in the least, probable, that any change will take place in administration, unless in consequence of a war. That is an event, which the endeavours of the present men, seconded by the disturbances and inability of France, will place at a great distance. The present men do the king's business better than he could find; why then should he change them? Most assuredly, it must be the necessity of the last extremity which will move him, to admit a single man of virtue, within the circle of his throne. An impeaching Parliament might be a more effectual remedy than a war; but there is still less expectation of this, than of that. The Lords Chatham and Shelburne, will then only come in, when it is necessary to cultivate the people, to support a war, or to sooth the rage of an impeaching House of Commons," &c. &c.

"Very melancholy, my dear brother, is the prospect of our affairs, and little apparent hope, that any attention will be paid, to the just rights of America. The present ministry, arbitrary and anti-American as they are, have for their opponents, men, who, for the most part, are despotic in their views, and who found their opposition upon the inefficacious and pusillanimous lenity of the present proceedings against the colonies. As the views of the court are unquestionably despotic, on the American question, it is sure, that those who talk in the most absolute style, are the most agreeable. Temple and Grenville are the men, I mean, with my Lord Egremont, whose principles are as inconsistent with liberty, as fire with water. The present administration is weak, because they acted as oppressors; but should this new set come in, being regarded as patriots, they will have the stronger support in subverting the constitution of America.

So circumstanced here, the cause of American liberty would be desperate indeed, if it find not a firm support, in the virtuous and determined resolution of the people of America. This is our last, our surest hope, this our trust and refuge. To encourage and invigorate this

spirit, must be the constant endeavour of every patriot, *si patriæ volumus, si nobis vivere cari.*

The Rockingham party have refused to take the lead in obtaining the repeal of the duty acts. The merchants are very averse to present any petition to Parliament for that purpose, because it is disagreeable to the ministry. Possibly they may be stirred up, before the holydays are over. They do not yet feel enough. My Lord Shelburne and his adherents, are the wisest and soundest supporters of America; but I doubt, whether they will be willing to take the lead. In a few days I go to Lord Shelburne's country seat, by express invitation, to spend some time; while there, I hope to animate him to a more vigorous advocation of our cause.

The House of Lords have passed several resolves, very violent against all the proceedings at Boston, and voted an address to his majesty, against the treasonable practices suspected there, and to bring the authors of them over here, for trial. The justice of this, they found on a statute of Henry Seventh, which by a resolve of the house, they extend to America. I will not anticipate your reflections on this proceeding. They were sent down to the Commons, and their concurrence desired; but they have deferred the consideration of them, until after the holydays. To pave the way for these measures, a very partial presentment of papers was made to the house, by the ministry; all the incendiary letters of Governor Bernard, with the most trifling occurrences of the "sons of liberty," down to their drinking the health of Paoli and the Corsicans; but the paragon of impudence, and malevolence was, a letter from the commissioners at Boston, full of misrepresentations and invective. Nothing was read on the other side, but the Boston petition; and this will be, forever, the treatment of Americans here; from whence, therefore, they are to expect neither justice nor favour.

The public liberty here, has gained a signal victory over court despotism, in the election, of Sergeant Glynn, Wilkes' friend and advocate, for this county, against all

the influence of Beauchamp Proctor, with an hired mob, bribery and ministerial influence. The party of Mr. Wilkes, is strong in the House of Commons. His having published the letter you will receive with this, prefaced by some strong animadversions, on the detestable intention of its authors, has increased the hatred of the ministry to absolute rage; in consequence of which, they procured a vote in the House of Lords, branding it as a seditious and inflammatory libel, with a conference to invite the concurrence of the Commons, but this they could not obtain, and therefore, they adjourned the question until after the holydays, when it will be abandoned. Then, too, a petition he has presented, praying to be permitted to prosecute Phllip Carteret Webb, guilty of bribery and perjury, with the public money, and to have the Lords Sandwich and March examined, touching the matter, is ordered to be heard. The Commons sent a message to the Lords, desiring that those Peers might attend in their house, which was voted a breach of privilege. The conference was held, but the Commons were firm, and the two lords were permitted to attend.

I have dined with Wilkes, in the King's Bench. He speaks very warmly of America, and highly applauds their proceedings. The Farmer's Letters are much read here, but to little purpose, though universally admired, and no answer attempted. They continue of the same opinion, without a single reason for it, and continue in obstinacy, what they began in ignorance. Lord Hillsborough told me, he was both greatly pleased and informed by them, but he wished Mr. Dickinson had accommodated his reasoning to the necessity of a supreme power. I observed, that Mr. Locke had executed that with great perspicuity. This lord is affable and plausible, has a routine of argument which he uses to every one, and on all occasions, without giving time for an answer. He appears to me to be extremely shallow, and he is detested in Ireland, for his arbitrary principles.

I send you with this, a number of the North Briton,

containing Wilkes' letter, the Public Advertiser, and two pamphlets concerning America.

I have written only two pieces published in the Gazetteer, giving an account of the proceedings at Boston, with some remarks on them. One of them is reprinted in the Gentlemen's Magazine for November. I am meditating two pamphlets, under the titles of an Address to the Merchants, and a Summary of the Arguments on both sides of the American Question. Whether I shall finish them I cannot determine. The load of prejudice seems almost immoveable, and pours despair, on all our attempts to bring this country, to reason.

My best love attend you all—my cordial good wishes await the friends of liberty, and their transactions. Once more let me remind you, that no confidence is to be reposed, in the justice or mercy of Great Britain; and that American liberty, must be entirely of American fabric.

Adieu, my dear brother,

ARTHUR LEE."*

In the year 1768, it had become evident to every person, even of ordinary sagacity, that a struggle for colonial liberty must take place. The idea was terrible, to the greater part of the people. The stoutest hearts were agitated by the anticipation. It was not so with Mr. Lee. He, even then, believed, that the colonies would be able, if united, to maintain, at least, a long and honourable effort for liberty; and that the policy of France especially, and of other European nations, would lead them to succour them. To produce unanimity so necessary to success, was the great object, which engaged, from this time, his unceasing efforts, and unwearied reflections. His biographer thinks, he can assert with the greatest truth, that Mr. Lee was the first person, who suggested the idea of corresponding committees to be organized by the legislatures of the colo-

* See further on these subjects, in his correspondence in the years '68 and '69, in Appendix, No. 1.

nies; and of corresponding clubs or societies among "the lovers of liberty, in the several states," for the purpose of informing the people, on the subject of their constitutional rights, and of giving them the earliest information of their violation; and of urging them to a timely and united resistance. His object, from this time, was independence. All the schemes, he henceforth suggested, all the measures he advised, contemplated much more than a mere redress of grievances. It has been seen that as far back as the year '64, he had hinted the idea, that "this step of the mother country, (the declaratory act of Grenville,) which was the first attack on our rights, and the fruitful parent of all the rest, though intended to oppress, and keep us low, in order to secure our dependence may be subversive of that end." The possibility, of which he spoke, appeared to him, to be rapidly approaching to a probability, that an early and judicious understanding should exist between the legislatures, and also, between the most influential men in the colonies, seemed an object of great importance; indeed, this appeared to him, the only effectual mode of producing united action, and consentaneous sentiment.

In 1773, the House of Burgesses of Virginia, about the same time with the Massachusetts Assembly, adopted the idea, and carried it into effect, by appointing a standing committee of six persons, "whose business it shall be, to obtain the most early and authentic intelligence of all such acts and resolutions of the British Parliament, or proceedings of administration, as may relate to, or affect the British colonies in America; and to keep up and maintain a correspondence and communication with our sister colonies, respecting those important considerations, and the result of their proceedings, from time to time, to lay before this house." Mr. Lee was one of this committee. The motion for its appointment, was made by Dabney Carr, Esq., a young gentleman of great promise, whose speech, on the occasion, evinced superior talents, and ardent patriotism. This mea-

sure, it has been said by historians of Britain and America, was the most efficient means of opposition, which had yet been devised to direct the energies of the people, and to produce that firm union which finally secured American liberty. Ample praise has been given to the Legislatures of Massachusetts and Virginia, for having been the first to appoint corresponding committees. From the honour due to them as collective bodies, the author would not detract. But, for the sagacity of Richard Henry Lee, may be claimed the merit of having first suggested this measure, and of having formed private corresponding societies among the leading men of the several colonies, four or five years, before the plan was thus publicly adopted. General Gadsden, of South Carolina, a few years before his death, remarked, while addressing an assemblage of citizens on the fourth of July, that Richard Henry Lee had invited him, to become a member of a private corresponding society as early as the year '68, which, Mr. Lee informed him, he was endeavouring to establish, between the influential men in the colonies. He stated, that Mr. Lee described his object to be, to obtain a mutual pledge from the members, to write for the public journals or papers, of their respective colonies, and converse with, and inform the people, on the subject of their rights, and their wrongs, and upon all seasonable occasions, to impress upon their minds, the necessity of a struggle with Great Britain, for the ultimate establishment of independence.

In support of the honour here claimed for Mr. Lee, as being the original devisor of corresponding committees between the colonial assemblies and of private corresponding clubs, as early as the year '68, the following letter, taken from the original copy in Mr. Lee's handwriting, is presented to the reader. It was addressed to Mr. Dickinson. In it, Mr. Lee invites him, to commence a correspondence with him, and proposes the consideration of the expediency and importance of establishing corresponding committees between the several

legislatures, and an association of the friends of liberty in the colonies. In another letter written about the same time, he endeavours to enforce his opinion, that the policy heretofore pursued by the ministry, against America, would not be abandoned, although the stamp act had been repealed. He expresses his opinion, that the declaratory act, which accompanied the repeal, was, a just cause of complaint, to the colonies; and that unless its assertion of the unlimited authority "to bind America in all cases," was denied by their legislatures, "the poison, unattended by its antidote, might be used, to the destruction of the body politic."

CHANTILLY, VA.
JULY 25, 1768.

"SIR—As a friend to the just and proper rights of human nature, but particularly as an American, I acknowledge great obligation to you, for the wise and well-timed care, you have taken of our common liberty.

Whilst men in general, are thoughtless and indolent, spirit and wisdom are necessary to rouse and inform minds, that incline to what is right, and wish happiness. You, sir, on this occasion, have the honour of giving a just alarm, and of demonstrating the late measures to be, at once, destructive of public liberty, and in violation of those rights which God and nature have given us.

To prevent the success of this unjust system, an union of counsel and action among all the colonies, is undoubtedly necessary. The politician of Italy delivered the result of reason and experience, when he proposed the way *to conquest, by division.* How to effect this union, in the wisest and firmest manner, perhaps, time and much reflection, only, can show. But well to understand each other, and timely to be informed of what passes, both here and in Great Britain, it would seem that not only select committees should be appointed by all the colonies, but that a private correspondence should be conducted between the lovers of liberty in every province.

From my brother, Dr. Lee, I have been informed of the kindness, with which you have expressed your willingness to begin a correspondence with me. To effectuate this good purpose, sir, I have taken the earliest opportunity of informing you, that when you are pleased to write, your letter to me by post, directed to the care of Dr. Mortimer, Hobb's Hole, Virginia, will meet with a safe conveyance.

I am, sir, with singular esteem, your most obedient and humble servant,

RICHARD HENRY LEE.

To JOHN DICKINSON,
Philadelphia."

CHANTILLY, VA.
NOVEMBER 26, 1768.

"DEAR SIR—That I might not be troublesome, is the only reason, which has hitherto prevented me from answering your agreeable favour of the first of August.*

It is greatly to be regretted that any consideration could prevail, with so potent and so flourishing a people, as those of Pennsylvania, to be silent, when the liberty of America is thus dangerously invaded; when her sister colonies are generously contending against oppression, and an *union* of the *whole*, would, infallibly establish the public freedom and security. To what purpose do her merchants toil, and her people labour for wealth, if arbitrary will, uninfluenced by reason, and urged by interest, shall reap the harvest of their diligence and industry? I wish her people may not discover, when it is too late, that the blessings of liberty, flow not from timid and selfish policy. I do not observe that your Assembly have expressed, even the least dislike to the late duty act, although all England now agrees, its

* The author regrets that he has not found Mr. Dickinson's answer to Mr. Lee's first letter. His manuscripts were, for a long time carelessly kept, and a great number of them, have been lost.

principal intention to be, to establish a precedent for American taxation, by the British Parliament.

Our long expected governor has arrived.* His lordship's good sense, affability and politeness, give general pleasure; but, how his political opinions agree with those of Virginia, remains to be known. Our late Assembly is dissolved, and writs have been issued for the choice of a new one, to meet, it is said, in May next; at which meeting, it is reported, we are to be informed, that his majesty having seen, disapproves of our objections to the late duty acts, and is determined to support the authority, and directs the act of the sixth of his own reign, commonly called the Bill of Rights, to be laid before our Assembly. It is supposed, that the silence of the House on this occasion, would be highly acceptable to government; but the propriety of being silent, is a question much agitated here. Say the *time-serving* men, "the Assembly has denied, and the king has asserted those rights, the matter ought to rest, not taking the least notice of it," and this, on a supposition, that the principle asserted, will not again be carried into execution. On the other hand, it is contended, that silence in this case must, by all the world, be deemed a tacit giving up our rights, and an acknowledgement, that the British Parliament may, at pleasure, tax the unrepresented Americans; that every kind of reason makes it probable, that destructive execution would soon follow so dangerous an admission. The facts, it seems, are these:—on the stamp act being known here, the Assembly asserted their right of exemption from British taxes; since that time, the Parliament, by an act, declare the binding force of their legislature over America, in every instance. But this act never having been laid before the Assembly by authority, and the stamp act being repealed, the bill of rights passed off unnoticed. However, the world soon saw an intention to avail themselves of this declaratory act, by the passage of the ill-judged

* Lord Bottetourt.

duty bill. To this act, the Assembly again object, and by petition, entreat his majesty's interposition, for the security of their rights, against the principles of that act. Should a new Assembly be told, that these objections were disapproved, that the authority of the British Parliament must be supported, and the bill of rights be laid before them, by the highest authority, how would silence in such a case, be construed? The reception of the act, would be registered, but no objection would follow. The poison, unattended by the antidote, may be used for the destruction of the body politic. I confess, I cannot go along with those who would derive security from submission. Is it to be supposed, that so sensible a people as the English, would disturb the peace of all North America, and endanger their most valuable trade here, for the poor purpose of establishing a principle, they never meant to execute! This, it seems to me, would be sottishness, not wisdom. When opportunity permits, I should be extremely glad to know your sentiments on these important points, for indeed, I am never so wedded to any opinion, that I cannot yield to clear and superior reason.

I am, with very particular esteem, your obedient and humble servant,

RICHARD HENRY LEE.

"To JOHN DICKINSON,
Philadelphia."

Mr. Dickinson, in a congenial spirit, and with correspondent sentiments, thus replies:—

"SIR—I have the pleasure to find my sentiments agreeing entirely with those expressed in your favour of the twenty-sixth of November. Claims so unreasonable in their nature, made on private persons, may be past over in silence and contempt. But in affairs of a higher dignity, transacted between different states, or different orders of the same state, the preservation of mutual respect, and the fatal tendency of precedents, seem indis-

pensibly to require objections, at once firm and respectful to be made, where the parties have a right or a cause to object. I presume, no "time-serving" gentlemen would choose, in case the declaratory act is laid before the House by government, that their silence should be construed into a contempt of the claim. As little should I imagine, would any good citizen have it attributed to fear, to a validity of the stamp act, or a want of virtue in the Assembly. Yet to one of them, will the people of England, and to another, will the people of America, attribute it. Any thing done by the Assembly, before the Parliamentary declaration of a right to bind America, in all cases whatsoever, was formally notified to them, will be regarded by the administration as waved, if that declaration is submissively received. I am credibly informed, that Lord Chatham has said, "that in the time of the stamp act, he could well say, that Great Britain could not constitutionally tax America, but that he could not well say this, since the declaratory act." It is said to be another expression of that statesman, that the administration should, on the present occasion, "pursue vigorous measures, with moderation." I apprehend, that by reversing the maxim of his lordship, we shall take the true course for promoting our own interests, that is, by pursuing moderate measures, with vigour. We are pushing a vessel against a strong stream. Over hasty zeal, will infallibly hurt us; and on the other hand, if we indolently intermit our efforts for a moment, we shall be hurried down the current. Virginia, sir, has maintained the common cause, with such attention, spirit, and temper, as has gained her the highest degree of reputation, among the other colonies. It is as much in her power, to dishearten them, as to encourage them. I suppose, all that can be apprehended from the resentment of Government, is a dissolution. A measure! that if the ministers would but consider the reign of the Stuarts, they might be sure, would only strengthen the opposition to their designs. Weak men! that mandates dictated by passion, can serve the crown, or injure the cause of

freedom among those, who value that blessing as they ought. The king's speech is throughout, a very extraordinary one. We perceive with grief, but not with despondence, that the conduct of his majesty's most dutiful subjects, has been grossly misrepresented to our excellent sovereign. The ministry no doubt, are anxious that the Parliament should be as angry, and as imprudent, as they have been. Our Assembly has sent some petition, similar to those of the other colonies.

I am, sir, with great esteem, yours, &c.

JOHN DICKINSON.

To Col. RICHARD HENRY LEE,
Chantilly, Va. January 16, 1769."

In the session of the House of Burgesses of Virginia, which followed the dates of the above letters, Mr. Lee early called the attention of that body, to the subjects discussed in them. The house adopted spirited resolutions, denying the right of the mother country, to bind the colonies in all cases whatsoever, and firmly remonstrated against the act authorizing the crown, to have the inhabitants of the colonies transported to England for trial, for offences alleged to have been committed in the colonies. This act, they denounced as a direct and undisguised violation of the constitution; so strong was their language, that even "the amiable and popular Bottetourt" was offended, and dissolved the house so soon as he was informed that it had adopted such resolutions.* Thus it happened, as Mr. Lee had predicted, when he first heard of the act of the Parliament, suspending the legislative power of the province of New-York, that unless the colonies made common cause, with New York, on this occasion, the ministry would make an effort, to suppress all legislative resistance in every other colony. This was verified in Massachusets and Virginia.

The resolutions just mentioned, gave alarm and uneasiness, to many good men, both in, and out of the

* See Life of Patrick Henry, p. 86-7

house, who were opposed to the measures of the mother country. They feared the result of so strong and pointed a denial, of that, which the Parliament of England claimed as one of its fundamental rights. They believed that the ministers would not again attempt to put in practice, what they held in theory; they fondly hoped, that better counsels would yet be followed, and that the colonies would soon be restored, to their former state of constitutional liberty, and (would once more) participate in the security and glory of the parent state. This, however, was not the belief, these were not the hopes, of Mr. Lee. He anticipated no such events; and he did not fear to assert the rights of his country, even at the hazard of exciting the resentment of England. His language was, as it has been seen, "*I cannot go along with those, who would derive our security from our submission.*"* He did not shrink from a vindication of the language and principles of the resolutions; but maintained their truth and propriety, in firm and energetic language, in the following letter to Lord Shelburne, at that time one of the most distinguished statesmen of Britain.

CHANTILLY, VA.
MAY, 31, 1769.

"MY LORD—The wisdom and goodness, with which your lordship has patronised America, claims the reverence of all its inhabitants. As an individual of this country I am greatly honoured by any service that will be acceptable to your lordship; and now take the liberty to send you a Virginia almanac, and the last Virginia Gazette, containing the proceedings of our late Assembly. These proceedings my lord, may, to some, appear the overflowings of a seditious and disloyal madness: but your lordship's just and generous attachment to the proper rights and liberty of mankind, will discover in them, nothing more than a necessary and manly assertion, of social privileges founded in reason, guaranteed

* In the foregoing letter to Mr. Dickenson.

by the English constitution, and rendered sacred by a possession of near two hundred years, that is, my lord, from the first settlement of North America, until a late period. When your lordship afforded the Americans your protection, it was given to a people, who are certainly loyal, very warmly attached to their mother country, and who wish its prosperity, with unfeigned heartiness.

I have the honour to be, your lordship's
most obedient and humble servant,
RICHARD HENRY LEE.

The Right Honourable the Earl
of SHELBURNE. in London."

This letter was presented to Lord Shelburne by Arthur Lee, Esq., a known and able writer on the popular side of the politics of the day, and high in the confidence of the leaders of the whig party. His letters in reply to his brother, give a very interesting account of the politics of the principal men in England, and of the prospects of America in the year 1769.

"MY DEAR BROTHER—I have received all your favours, but none with more pleasure than that of the 16th July, which assures me of your having recovered from the effects of that terrible fall. God grant that it may be the last bitter drop in your bitter cup, and that your future life may be one uninterrupted stream of happiness.

Your letter, &c., I myself presented to Lord Shelburne, at his own house, where I lately spent a week with him. He desires me to return his thanks for them. Grenville has had the art of turning the present opposition to an infamous administration, somewhat to his advantage; and by uniting with Chatham, Temple, and Rockingham, is aiming at a resumption of that power which he so much misused. With but small abilities, he has much art, so that no man has more influence in the House of Commons; he is endowed with a perseverance in the pursuit of power, never to be overcome, and ca-

pable of using any artifice, and submitting to any meanness that may promote his ambitious purposes. Upheld by these supports, nothing prevents his promotion but *the unfeigned piety* of the court, with whom *revenge is virtue.* The affront given by him to a certan lady, in the regency bill, occasioned his dismission, and will, in all probability, be an insurmountable bar to his ambition. So far is her vice, a virtue, operating the good of the nation, in the gratification of her malice. Should the complaints of the people prevail on the king to dismiss his present ministers, most probably Lord Chatham will be applied to, for the formation of a new administration. Here then will be a struggle of Lord Chatham, (as he has certainly united with Grenville,) should he insist on his admission. That the dowager's enmity would prevail over Lord Chatham's influence, is beyond a question; but policy may induce her to dissemble, (a virtue not yet banished from St. James',) and Grenville be admitted. Whether Lord Shelburne will find a place, or accept one, I cannot venture to conjecture. I think his virtues and abilities will force him into power, whether soon, or among the present abandoned crew, I cannot determine. Be this as it may, I think he is the only one attached to us from principle; from policy, there are many against opposing us; as Lord Chatham, Richmond, and Rockingham. Temple and Grenville are our determined foes; but whether they will not think it policy to let our rights remain unquestioned, is doubtful. As I perceived, it was likely they would come in, if at all, on popular grounds, I have laboured much to make the cause of America popular, in which, if I had been assisted by the American agents, I have not the least doubt of having succeeded. But the only duty an American agent has to do, is to make a very formal and humble visit to White Hall, with any paper his Assembly sends him—He leaves it to the pleasure of the minister, and thinks his duty is done—'Tis not all, who will do even this paltry service; and Mr. Abercrombie has not condescended to take the least

notice of the order of council for co-operating with the agent. What reason has America to expect any thing further, when by far the greater number of her agents are unknown here, of no abilities, no rank, or if of any, of a bad character; some of them, menial ploughmen, all of them, servile expectants.

Mr. Jenings intended the picture he sent you as a present, and is therefore offended that it is mentioned publicly as a purchase with the subscription money, which is still in his hands. As there is no probability of getting Lord Camden to sit, I could wish the subscribers to be prevailed on to order Lord Shelburne's to be sent, in gratitude for his having divided the lords in favour of their rights. He, I think, will have no objections to gratifying us, for his principles remain unaltered. You will see our agent on the most infamous list of voters for Colonels Lutterel and Brentford, than which nothing can more demonstrate his servile dependence on administration; when applied to, he refused to draw up for the tobacco merchants, a petition against the revenue acts, on a pretence, that as they had not treated him with respect, he would not have any thing to do with them. But his vote will explain his refusal. Should this conduct have any influence in Virginia to his prejudice, as I think in truth, it ought, I need not tell you I should be happy to serve in his place. If Mr. Nicholas would join you, one would imagine the point would be carried. It would certainly enable me to get into parliament, and by that method, promote the interest not only of Virginia, but of all America. Had I been in this character a year ago, I could have made the cause of America the cause of Middlesex, for they are in truth, the same. As nothing is more in my wish than this cause, I should like to have my inclinations seconded by my situation, which, as agent of the Assembly, would be certainly effected.

Yours affectionately,

ARTHUR LEE.

IPSWICH, September 18th, 1769."

"DEAR BROTHER.—I wrote to you lately, and probably the same conveyance will bring you this letter. It is with much pleasure I can assure you, that Lords Shelburne, Chatham, and Camden, are determined to unite once more in supporting the cause of America against the present weak and wicked administration. I am at present at Lord Shelburne's, in the country, and you may depend on what I say concerning our friends. Every day makes our cause more popular, and I think the ministry will find the opposition too strong to attempt any forcible measure; and you well know how little their artifices will avail them. I have endeavoured, by mixing popular subjects here, with that of America, to bring the signature of Junius Americanus into estimation, and by that means to gain a more easy ear to the discussion of American grievances—I am in hopes of succeeding. Colonel Barré is of opinion, that America stands on excellent ground, and need not be in the least apprehension of what her enemies can do. I have just heard from our brother William that the election has been patriotic, and that . . . . . has met with the contempt and detestation he merits. My heart is at ease, and I trust we must be free. I think myself much honoured by the name of Virginia, and feel infinite gratitude to the people at large, for the noble spirit with which they have resisted all the attempts of art, and honoured the cause of liberty.

I do not know any thing which would gratify my wishes more, than the agency of Virginia. I should devote myself with so much cordiality to its duties, and obey with so much joy, the commands of a spirited people asserting their rights.

Farewell, and believe me as I am ever,

Yours affectionately,

ARTHUR LEE.

Bow Wood, December 3d, 1769."

Such was the state of politics in England when the resolutions of the Virginia Assembly were received, and

the effect which they produced on the most temperate of the colonies, may be seen from the following letter, addressed to Mr. Lee, by that wise and virtuous patriot, Mr. Dickinson.

"SIR—I am very much obliged to you for the papers sent by Mr. Wormley, and sincerely congratulate you, on the noble conduct of your colony. Administration and its unjust tools are certainly prompted, by as detestable a spirit, and directed by as despicable a policy, as ever distracted the British empire. If they have the least virtue or wisdom slumbering in them, I think, it must be roused by reading your resolves and address. But, indeed, from them, we are not to look for justice; our own integrity and prudence must be our guardian; and, if the other colonies persevere, as I hope they will, in emulating the generous example given them, in Virginia, tyranny and folly will, unquestionably, have cause to deplore their shameful and contemptible efforts to extinguish American liberty. I make no doubt, sir, but that it will give you particular pleasure, as you could scarcely expect it, that your ardor has warmed, even this most temperate province. It was, once, the interest of particular men, that this colony should make a great bustle about small matters. It then raged with patriotism. It is now the interest of the same men, that it shall promote submission to administration. It therefore sleeps, lulled by loyalty. The troublesome vigilance and vigour of our neighbours, have repeatedly made us yawn, and give a forced and feeble assent to what they were doing. If you proceed, I do not know but that we shall get quite awake, notwithstanding the large doses of opium, that have been administered to us. Certain it is, that in the last letters written to England, by a committee of merchants, they applaud your behaviour; and yet in that committee there are many persons, who are very fond of public tranquillity. Perhaps these people approved these letters, as believing they would not be published; but I think their join-

ing in them proceeds from the general approbation of your measures. Our Assembly, indeed, are too humble subjects to give administration any cause to think, they will encourage any discontents on this continent. And therefore though they had an opportunity of taking the lead, as Virginia had done in opposition to some of the vilest acts of despotism, that ever violated the rights of America, yet meekly and peaceably the good men, having well provided against the *trespassing spirit of encroaching hogs*, left the most dangerous and daring outrages against the liberty of themselves, uncensured and unnoticed. Quite different has been the conduct of the Assembly of the lower counties. In a conversation with one of the principal members of that house, we were of opinion, that it would be a just mark of respect to your Assembly, to adopt your resolves verbatim. This has been done; and I hope every Assembly on the continent will concur with you. We shall come in, in the eleventh hour.

I am, sir, with great esteem, &c.

JOHN DICKINSON,
Philadelphia, June 22, 1769.

To Col. RICHARD LEE."

IN the session of 1769, Mr. Lee was chairman of the committee of courts of justice. To it many important subjects were referred, which did not relate directly, to the administration of justice. The industry with which Mr. Lee laboured in any business assigned to him, made him one of the conspicuous amongst those who were denominated "business men." From the beginning of his active career in the Assembly, he had exhibited a rare combination of genius, patience, and labour; thus early preparing himself for those cares, and toils in the committees of the Continental Congress, for the endurance of which, he was as confessedly remarkable, as he was for his wisdom and ability. During this session, he brought in a report, on the subject of opening and improving the navigation of the River Potomac, as far as Fort Cumberland, as it was then called. This re-

port is here mentioned, not only because it exhibits judgment, and a practical knowledge of the statistical advantages of the country, but because the subject of internal improvement, has become justly popular and interesting. The very object of Mr. Lee's report is at this moment, likely to become a national one, and of incalculable benefit to a large portion of the country. It is believed that Mr. Lee was the first person who digested any plan of the kind, in this country; certainly the first who formed a plan, for the improvement of the navigation of the Potomac River, as high up as Fort Cumberland.

CHAPTER IV.

The address and resolutions (as has been stated) so alarmed the governor of Virginia, as to induce him to dissolve the House of Burgesses. But this measure had not the same effect in this case, as in that of the dissolution of the legislature of New York. The leaders of the House of Burgesses, had already denied the authority of Parliament, and were now preparing their minds to resist it; among them Mr. Lee was still distinguished for the energy, perseverence, and boldness with which he asserted the rights of the colonies.

As soon as the governor had dissolved the Assembly, the members convened at a private house. They drew up articles of association, binding themselves not to import British manufactures, or to use them, while the revenue acts remained in force, and earnestly exhorted the people to pursue a similar course. Mr. Lee was active in bringing about this measure. By his example and persuasion, he procured an extensive and hearty co-operation in this very efficient method of resistance. The non-importing association spread extensively throughout the colony, and the people adhered to its prohibitions and endured with admirable patience, the diminution of the luxuries, and even the comforts of life to which it subjected them. Mr. Lee in his own person and in his family, adhered strictly to the articles of the Association ; and was as active and vigilant in watching those, whom he suspected of a reluctant acquiescence to the object, for which it had been formed, as he was fearless in exposing any violation that he detected, for it was the duty of every member so far as in his power, to see that no designed breach of the pledges given by the members, should pass unpunished.

The articles of association were kept with patriotic fidelity throughout the colonies; and, as those who suggested the scheme had predicted, the suspension of the trade to the colonies created, in England, a powerful opposition to the measures of the ministry. This ought to have been sufficient to arrest them in their blind and haughty career. Folly itself might have been taught to think, but theirs seems to have been mingled with madness. "Quem Deus vult perdere, prius dementat."

Mr. Lee, prior to the period when the idea of non-intercourse was thus reduced to a system, had resolved not to import for his own use any article of luxury or comfort, while the duty acts remained unrepealed. To the domestic loom he had recourse for clothing for himself and family; and for "wine and oil," he resorted to his own hills. In the following letter to the celebrated Dr. Fothergill, of London, written about this time, the reader will find Mr. Lee, presenting to an English whig, and a friend of America, (towards whom Mr. Lee's heart ever warmed) a sample of wine, which a principle of liberty had extracted from the native grape of his country.

"CHANTILLY, VA. MAY, 1769.

SIR—Your general humanity deserves the esteem of all; but permit me to say, sir, that *your particular kindness to Americans* claims their reverence and gratitude. When, therefore, my brother, Dr. Lee, informed me that you wished to have some wine from our native grape, I lost no time in procuring the best for you. Captain Johnson will deliver you a small cask, together with a few bottles of older wine. The first is of last year's vintage, and that in bottles is several years old. This wine is, at present, of the true flavour of our grape, and is very gently acid, a quality natural to this fruit. I wish the season, and the heat of the tobacco load, may not injure it.

I am, with very singular esteem, sir, your most humble and obedient servant,

RICHARD HENRY LEE.

DR. FOTHERGILL, London."

The regulations of the non-importing association, continue to be strictly and patriotically observed, during the years 1770 and '71. Mr. Lee did not permit his mind to relax its attention to the affairs of the colonies. He kept a constant correspondence with his brother Arthur Lee, and other gentlemen in England, diligently diffusing every information he could obtain, which bore any relation to the interests of the colonies. So long as the duty acts continued in force, he exhorted his fellow citizens to endure every trial and deprivation, rather than encourage a commerce which flourished most vigorously when their liberties were most strongly violated.

The prospects of the colonies were bright or gloomy, as statesmen of different political opinions and connexions were called, by the king, to the administration. Hence the political changes, and even intrigues of those days, were deeply important to the people of America; and are, even now, interesting, since they form links in that chain of events, which led to our long and successful struggle. The following letters cannot fail, then, to entertain the reader, and to afford matter for political reflection. They form a part of the correspondence which Mr. Lee carried on, at this time, with a view to inform his fellow citizens on their political concerns, and to prepare them for the crisis which he saw approaching.

"My dear Brother—Colonel Barré is just arrived here, and informs me that Governor Bernard is to be before the king and council, agreeable to the Massachusetts' petition, with a view to deceive the world into a belief of his innocence, not to make any inquiry into his guilt. With this view, *only six days' notice is given to the agent to summon his witnesses, three thousand miles distant.* The wickedness of this administration can be equalled only by its weakness. For must not this be most egregious, to expect the world will be deceived by so infamous an artifice. The agent has delivered a petition to the council for a delay; whether that will succeed, I know not, but it will render their injustice more

glaring. He is an upright, spirited, and independent old man, and therefore most obnoxious to Lord H——gh, who has made some mean attempts to injure him. The ministry has so affronted the Duke of Rutland, as to make him resign. It is expected the Marquis of Granby will follow him. 'Tis well they are so rash, as abler men, in these times of corruption, might endanger our liberties.

I find my health better than when with you. I pray heaven to guard you.

Yours—Adieu.

ARTHUR LEE.

BATH, November 9th, 1769."

"LONDON, MAY 20th, 1770.

MY DEAR BROTHER—The Parliament being now prorogued, concludes all hopes of any redress of grievances, either for America or Great Britain. Several motions were, a week ago, made in the Commons, and repeated in the Lords, by Mr. Burke and the Duke of Richmond, tending to censure all the measures of this administration, relative to America, especially my Lord Hillsborough's rescinding and promising letters. They were all rescinded in the lump, by a previous question, on which the ministerial majority was three to one. Lord Chatham has made two remarkable motions this session, one for dissolving the Parliament, and one censuring those who advised the rejection of the London remonstrance. They were fruitless, being rejected by a great majority. No ministry ever had less argument, and greater influence.

In the American debate, Lord Hillsborough declared that all hopes of reconciliation with America were vain, unless the whole authority of Parliament was given up, for that it was the navigation act we were aiming to overthrow. Such are the fixed impressions of this dull, arbitrary lord, and the prejudices which he and his tools labour, but too successfully, to infuse into others.

The city of London, unawed by their late rejection,

has voted a second remonstrance to the throne, in very spirited terms, which is to be presented next Wednesday.

Mr. Wilkes sits and acts as alderman, with great applause. The friends of America here, are apprehensive that you will not abide by your non-importation agreements, on which all prospects of a re-establishment of our invaded rights depends. I can hardly think that my countrymen can be so wanting to themselves, as to give their enemies their wish, and sacrifice for a temporary profit or convenience, the liberties of themselves and their posterity. Adieu,

Yours, &c.

ARTHUR LEE."

"MY DEAR BROTHER,—Lord Hillsborough is out. The ostensible cause is, that he dissented to the establishment of a government where our petition is located. But the true reason is, that the Bedford party were determined to remove him, to provide for one of themselves. But in this they were disappointed, for Lord North threatened to resign. They were obliged to sooth him by the appointment of his half-brother, Lord Dartmouth. This place was originally promised him, but the king, as his custom is, deceived him; and it is thought rather shabby in him to accept of it now. However, he is a man of good principles, of a fair character, of exemplary life, and a friend to America. I have no doubt, but that as far as it depends upon him, which indeed is but little, the colonies will not have much cause to complain.

There is no opposition now, nor any forming. At the meeting of the next Parliament, the leaders will hope that the memory of their former follies may be obliterated, and again unite in that opposition which they so shamefully abandoned. Nothing is more uncertain than the revolutions of states, nor can any one form a tolerable conjecture from the appearances of the political sky. This is our only comfort in the midst of a calm which seems to resign every thing to the will of a court, which

is meditating and executing a systematic destruction of our liberties.

I expect to be at the bar, quite in time for the next general election, and to be employed in some contested election, which is a fair introduction into a valuable branch of the profession, that of pleading before the House of Commons.

Yours, &c.
ARTHUR LEE."

To add to the wrongs and grievances under which the colonies were now labouring, the Parliament determined, in the year 1772, to establish in the provinces, courts, with admiralty jurisdiction and powers. Before these courts, suits were to be tried at the instance of the crown. As the trial by jury was not a part of their proceedings, and the judges were to be appointed by the crown, the property of the colonists would become, in all probability, a sacrifice to unconstitutional law, arbitrarily imposed, rigidly construed, and tyrannically enforced. This measure excited serious apprehensions, and the indignation of the popular leaders of the colonies. Mr. Lee, as usual, directed his whole attention to this fresh violation of the rights of the country. As soon as the House of Burgesses met, he moved the following resolutions:

"That an humble and dutiful petition be presented to his majesty, entreating that his majesty would be graciously pleased to take into his royal consideration, the grievances under which his faithful subjects in Virginia, continue to labour, by having their property daily taken from them by laws, to which they have never consented, either personally, or by their representatives; by being subjected to the decision of distant and arbitrary courts of admiralty, when trial by jury, the surest support of property is denied, by which means his majesty's ever dutiful subjects of Virginia, are deprived of those great and fundamental rights, which they, and their ancestors, have conceived, until lately, to be their unalienable

rights; their constitutional rights, as subjects of the British Empire, and their right by charter, granted to the first settlers of this country, by his majesty's royal ancestors, kings of England. That to restore the happiness and security of his majesty's faithful subjects of this colony, his majesty will be graciously pleased to recommend to his Parliament, the repeal of the acts lately passed, for the purpose of raising a revenue in America, and for subjecting American property to the determination of admiralty courts, where the constitutional trial by jury is not permitted, but where distance and interest conspire to ruin the innocent."

In the same year, an occurrence took place in Rhode Island, which awakened the vengeance of the ministry. The people of Providence, in that state, indignant at the manner, in which the officer of the port executed the provision of the duty acts, seized and burned the Gaspie schooner, having on board merchandise, on which the duties were charged, and the use of which, was prohibited by the non-importing association of that town. A court to inquire into the circumstances of the case was constituted. However indefensible the act was on the part of the people, it is indisputable, that it did not authorize the extraordinary, extra-judicial, and military court thus established. The act of 1769, authorizing "to apprehend persons in America, and convey them to England for trial," contrary to every principle of the English constitution, was now, for the first time, to be carried into execution. This atrocious violation of the rights of the colonies, did not fail to excite the indignation and denunciations of Mr. Lee. So soon as he heard of the establishing of this court, he commenced a correspondence with his friends to the north, whom he had before enlisted in a corresponding club, and requested information on the nature, object, and powers of the court of inquiry. He diffused widely the information received, and endeavoured to awaken his fellow citizens to their danger, and prepare them for a struggle, which he now declared to be the duty of the colonies,

to meet with fortitude and vigour. The author has selected his correspondence with Mr. Samuel Adams, and Mr. Dickinson on this subject. The letter to Mr. Adams here given, is introductory to a long correspondence with that virtuous and intrepid patriot. It shows, what indeed, all his letters evince, how ardent his patriotism was, and how near to his heart, was the cause of his country. No age or nation can exhibit evidences of more disinterested love of country, associated with more coolness of judgment and dignity of sentiment, than the letters of these three great men present, to the admiration of their posterity.

[*Letter from R. H. Lee, to Samuel Adams.*]

"CHANTILLY, VA.
FEBRUARY 4, 1773.

SIR—From a person quite unknown to you, some apology may be necessary for this letter. The name of my brother, Dr. Arthur Lee, of London, may perhaps, furnish me with this apology. To be firmly attached to the cause of liberty on virtuous principles, is a powerful cause of union, and renders proper, the most easy communication of sentiment, however artfully disunion may be promoted and encouraged by tyrants, and their abettors. If this be true in general, how more certainly is it so, in that particular state of affairs, in which every scheme that cunning can form, or power execute, is practised to reduce to slavery, so considerable a portion of the human species, as North America does, and may contain. Every day's experience proves this, to an attentive observer. Among other instances in proof, if I mistake not, the manner of resenting the loss of the Gaspie, is one. At this distance, and through the uncertain medium of newspapers, we may never, perhaps, have received a just account of this affair. I should be extremely glad, sir, when your leisure permits, to have as true a state of the matter, as the public with you, has been furnished with. At all events, this military parade ap-

pears extraordinary, unless the intention be, to violate all law and legal forms, in order to establish the ministerial favourite, but fatal precedent, of removing Americans beyond the water, to be tried for supposed offences committed here. This is so unreasonable, and so unconstitutional a stretch of power, that I hope it will never be permitted to take place, while a spark of virtue, or one manly sentiment remains in America. The primary end of government seems to be, the security of life and property; but this ministerial law, would, if acquiesced in, totally defeat every idea of social security and happiness. You may easily, sir, perceive, that I understand myself, writing to a firm and worthy friend of the just rights and liberty of America, by the freedom with which this letter is penned. Captain Snow, of your town, who comes frequently here, and who takes care of this, will bring me any letter you may be pleased to favour me with.

I am, sir, with singular esteem, yours, &c.

RICHARD HENRY LEE.

To SAMUEL ADAMS, Esq., Boston."

[*Mr. Adams' Reply.*]

"BOSTON, APRIL 10, 1775.

SIR—Your letter to me of the fourth of February last, I received with singular pleasure, not only because I had long wished for a correspondence with some gentleman in Virginia, but more particularly, because I had frequently heard of your character and merit, as a warm advocate of virtue and liberty. I had often thought it a misfortune, rather than a fault in the friends of American independence and freedom, not taking care to open every channel of communication. The colonies are all embarked on the same bottom. The liberties of all, are alike invaded by the same haughty power. The conspirators against their common rights, have indeed, exerted their brutal force, or applied their insidious acts differently, in the several colonies, as they have thought,

it would best serve their purpose of oppression and tyranny. How necessary, therefore, that *all* should be early acquainted with the particular circumstances of *each*, in order, that the wisdom and strength of the *whole*, may be employed upon every occasion. We have heard of bloodshed, and even civil war, in our sister colony of North Carolina; and how strange is it, that the best account we have of that tragical scene, should be brought to us from England.

This province, and this town especially, have suffered a great share of ministerial wrath and insolence. But, God be thanked, there is, I trust, a spirit prevailing which will not submit to slavery. The compliance of New York in making annual provision for a military force designed to carry acts of tyranny into execution, the timidity of some, and the silence of others, are discouraging. But the active vigilance, the manly generosity, and the steady perseverance of Virginia and South Carolina, give us reason to hope, that the fire of true liberty and patriotism, will at length spread itself through the continent; the consequence would be, the acquisition of all we wish for. The friends of liberty in this town, have lately made a successful attempt to obtain an explicit political sentiment of a great number of the towns of this province, and the number is daily increasing. The very attempt was alarming to our adversaries, and the happy effects of it, mortifying to them. I would propose it for your consideration, whether the establishment of committees of correspondence among the several towns in every colony, would tend to promote that general union, upon which the security of the whole depends. The reception of the truly patriotic resolves of the House of Burgesses of Virginia, gladden the hearts of all who are friends to liberty. Our committee of correspondence had a special meeting on the occasion, and determined to circulate immediately, printed copies of them, in every town in the province, in order to make them as extensively useful as possible. I am desired by them, to assure you of their venera-

tion for your most ancient colony, and their unfeigned esteem for the gentlemen of your committee. This indeed, is a poor return—I hope you will have the hearty concurrence of every Assembly on the continent. It is a measure which will be attended with great and good consequences. Our General Assembly is dissolved, and writs will soon be issued, according to the charter, for a new Assembly, to be holden the last Wednesday in May next. I think I can almost assure you, there will be a return of such members as will heartily co-operate with you in your spirited measures. The enormous stride in erecting what may be called a court of inquisition in America, is sufficient to excite indignation in every heart capable of feeling.

I am expecting an authentic copy of that commission, which I shall send to you by the first opportunity, after I have received it. The letter from the new secretary of state to the governor of Rhode Island, which, possibly you may have seen in the newspapers, may be depended upon as genuine. I received it from a gentleman of the Council of that colony, who took it from the original. I wish the Assembly of that province had acted with more firmness than they have done; but as the court of inquiry is adjourned, they may possibly have another trial. I have a thousand things to say to you, but am prevented from want of time, having had but an hour's notice of the sailing of this vessel. I cannot conclude, however, without assuring you, that a letter from you, as often as your leisure admits, would lay me under great obligations.

I am, sir, in strict truth, your humble servant,

SAMUEL ADAMS.

TO RICHARD HENRY LEE, ESQ."

It has been seen already, that Mr. Lee had, several years before the year 1773, suggested the idea, not only of corresponding committees between the friends of liberty in the several colonies, but of such committees between the colonial legislatures. In the spring session

of the House of Burgesses of Virginia, in the year '73, the House adopted several resolutions, declaring the expediency of such committees between the legislatures of the colonies, and urging upon them the adoption of the measure. These resolutions appointed persons to act as such a committee, and Mr. Lee was one of them. Beside the general and standing instructions, the special instruction was given to them "that they do, without delay, inform themselves of the principles and authority, on which was constituted a court of inquiry, said to have been lately held in Rhode Island, with power to transport persons accused of offences committed in America, to places beyond the seas."

Mr. Lee, as it has been shown, had been seeking for information on this subject. In the following correspondence with Mr. Dickinson, (as a member of the committee,) he informs him of the institution of the committee of correspondence, and begs for information, on the subject of the court of inquiry in Rhode Island. He reiterates his opinion, stated in his first correspondence with that gentleman, of the great importance of the adoption of corresponding committees between the several legislatures.

"CHANTILLY, VA.
APRIL 4, 1773.

SIR—I should not have been silent so long, if any important considerations had made writing necessary. In this quarter, much alarm has been created by a new court of criminal jurisdiction, which it is said, has lately been opened in Rhode Island. Neither the power, nor the object of this court, have been perfectly understood here; but in general, we have understood, that it was designed to put into execution the dangerous advice of the two Houses of Parliament in 1769, to seize obnoxious Americans, and convey them to England for trial. When our Assembly met lately, they were not furnished with proper documents on this subject. But they have now adopted a measure, which from the beginning,

they should have fixed on, as leading to that union and perfect understanding with each other, on which the political salvation of America depends. I have enclosed you, that part of our Journal, which relates to that matter. You will observe, sir, that full scope is given, to a large and thorough union of councils, though our language is so contrived, as to prevent the enemies of America, from hurrying this transaction into the vortex of treason, whither they have carried every honest attempt to defend ourselves, from their tyrannous designs, to destroy our constitutional liberty. I hope sincerely, that every colony on the continent, will adopt these committees of correspondence and inquiry. I should be much obliged, sir, with your sentiments on the Rhode Island court, and with the knowledge you have, of its powers and object.

I am, sir, with great esteem, your most obedient and humble servant,

RICHARD HENRY LEE.

To JOHN DICKINSON,
Philadelphia."

[*Mr. John Dickinson's Reply.*]

"SIR—I am greatly obliged to you, for your favour of the 4th of last April. The measure adopted by your Assembly for promoting correspondence among the colonies, is certainly very prudent, and I doubt not, would be very successful, if every colony was influenced by the same well directed undeviating zeal, for the liberty and happiness of America, that actuates the Assembly of Virginia. Some good I hope will result from your generous attention to the interests of those colonies, however inattentive several may be to their best interests, blessing, and freedom.

As to the proceedings in Rhode Island, they are the most insulting violations of the rights of Americans, that could be devised. Some time in February last, I think, I received a letter from several gentlemen of that place,

who were appointed by their Assembly to answer a message of their governor, containing paragraphs of a letter from Lord Dartmouth. From these it appears that the court to be appointed in Rhode Island, was formed "for inquiring into, and making report to his majesty, of all the circumstances, relative to the attacking, plundering, and burning the Gaspie schooner, for delivering the offenders to the care and custody of Rear Admiral Montague, or to the commander in chief of all his majesty's ships in Ameria, for the time being, to be brought to England for trial, calling upon Generel Gage, who is to hold himself in readiness to send troops, &c." The paragraphs do not give any express authority to the commissioners to arrest and commit, "his majesty depending, (as the letter says) upon the care and vigilance of the chief magistrates, to take the proper measures for arresting and committing, &c." Lord Dartmouth's letter does not mention, whether the supposed offence is committed within the body of the county, or within the jurisdiction of the admiralty courts; and therefore the intention of administration is concealed, whether the prisoners are to be tried under the twenty-eighth of Henry VIII. "for an offence committed on the seas," or under the thirty-fifth of Henry VIII. "for an offence beyond the seas." I am informed that the Gaspie was burnt within the body of the county; of this being the fact, there is no reason to believe the ministry were ignorant; and as little to believe that their resolution was fixed, to have the accused tried in England, wherever the vessel was destroyed.

I am, Sir, with the sincerest esteem,
your most humble servant,
JOHN DICKINSON.

To RICHARD HENRY LEE, Esq."

The discontents every where manifested in the colonies, at the duty acts, had induced Lord North, to advise their repeal. They were repealed with the exception of the duty on tea. This measure failed to

produce the effects expected by the minister. The principle of arbitrary taxation, to recognize which, this duty was retained, was utterly repugnant to the ideas of freedom at this time prevailing. The reader is well acquainted with the fact, that to show their determination to resist this principle, the people of Boston threw an immense quantity of this article into the sea. This step gathered to thicker concentration, the elements of the storm of civil commotion, which had been so long lowering. The ministry, supported by the prevalent temper of the people of England, poured out their wrath upon the town of Boston, and an act was passed, shutting up its port. The following very interesting letter from Arthur Lee, Esq. to his brother, contained the earliest authentic intelligence of the passage of this act. This letter contains a well drawn character of Lord North, and of his administration, and sound and timely advice, respecting the course to be pursued by Mr. Arthur Lee's countrymen.

"LONDON, March 18th, 1774.

Dear Brother—The affairs of America are now become very serious; the minority are determined to put your spirit to the proof. Boston is their first object.

On Monday, the 14th, it was ordered in the House of Commons, that leave be given to bring in a bill, "for the immediate removal of the officers concerned in the collection and management of his majesty's duties of customs from the town of Boston, in the province of Massachusetts Bay, in North America; and to discontinue the landing and discharging, lading and shipping, of goods, wares, and merchandise, at the said town of Boston, or within the harbour thereof."*

If the colonies, in general, permit this to pass unnoticed, a precedent will be established for humbling them

* Many native Americans, who were at this time in London, presented a petition to Parliament in behalf of their countrymen in Boston, against the operation of this act. It was written by Arthur Lee. See App. No. 2.

by degrees, until all opposition to arbitrary power is subdued. The manner, however, in which you should meet this violent act, should be well weighed. The proceedings of the colonies, in consequence of it, will be read and regarded as manifestoes. Great care, therefore, should be taken, to word them unexceptionably and plausibly. They should be prefaced with the strongest professions of respect and attachment to this country; of reluctance to enter into any dispute with her; of the readiness you have always shown, and still wish to show, of contributing, according to your ability, and in a constitutional way, to her support; *and of your determination to undergo every extremity, rather than submit to be enslaved.* These things tell much in your favour with moderate men, and with Europe, to whose interposition America may yet owe her salvation, should the contest be serious and lasting. In short, as we are the weaker, it becomes us to be *suaviter in modo*, however we may be determined to act *fortiter in re*. There is a persuasion here, that America will see, without interposition, the ruin of Boston. It is of the last importance to the general cause, that your conduct should prove this opinion erroneous. If once it is perceived that you may be attacked and destroyed, by piecemeal, *actum est*, every part will, in its turn, feel the vengeance which it would not unite to repel, and a general slavery or ruin must ensue. The colonies should never forget Lord North's declaration in the House of Commons, that he would not listen to the complaints of America, until she was at his feet. The character of Lord North, and the consideration of what surprising things he has effected towards enslaving his own country, makes me, I own, tremble for ours. Plausible, deep, and treacherous, like his master, he has no passions to divert him, no pursuits of pleasures to withdraw him from the accursed design of deliberately destroying the liberties of his country. A perfect adept in the arts of corruption, and indefatigable in the application of them, he effects great ends by means almost magical, because they are unseen. In four years, he

has overcome the most formidable opposition in this country, from which the Duke of Grafton fled with horror. At the same time, he has effectually enslaved the East India Company, and made the vast revenue and territory of India, in effect, a royal patronage. Flushed with these successes, he now attacks America; and certainly, if we are not firm and united, he will triumph, in the same manner, over us. In my opinion, a general resolution of the colonies to break off all commercial intercourse with this country, until they are secured in their liberties, is the only advisable and sure mode of defence. To execute such a resolution, would be irksome at first, but you would be amply repaid, not only in saving your money, and becoming independent of these petty tyrants, the merchants, but in securing your general liberties. You are, however, more capable of judging what is proper and practicable. My great wish is to see you firm and united.

Adieu. Your's affectionately,

ARTHUR LEE."

When the intelligence of the passage of the act above mentioned reached Virginia, the House of Burgesses was in session. It immediately passed several resolutions, in very bold terms, against it. They made an order, that the members should attend in their seats, on the first day of June, the day on which the act was to take effect; and that that day should be observed as a day of fasting, humiliation, and prayer.

The governor, so soon as he heard that such an order had been made, dissolved the House. Upon the arrival of the intelligence of the Boston port bill, Mr. Lee prepared several resolutions of stronger language, than had yet been used by any legislative body in America. And intended to have offered them, on the morning after the vote of the order for a fast, but the dissolution of the House frustrated the design. It will be believed, from the spirit of the time, that his resolutions would have been adopted. When the House was dissolved,

Mr. Lee advised that the members should assemble, and as representatives of the people, at once recommend the meeting of a general Congress. The members generally, were disposed to pursue a more cautious, or (which is frequently mistaken for such,) a more dilatory proceeding. An address to the people was drawn up, in which they denounced the measures of Parliament, as intended, and well calculated to subvert their constitutional liberties. They particularly reprobated the act for shutting up the port of Boston, "in their sister colony" of Massachusetts, "as a dangerous attempt to destroy the constitutional liberty and rights of all British America." They recommend to their committee of correspondence, "that they communicate with the committees of other colonies, upon the expediency of appointing deputies from the several colonies of British America, to meet at such place, as should be most convenient, there to deliberate on those general measures, which the *united* interests of America, may, from time to time require." The address is from the pen of Mr. Lee, and contains the sentiments of the resolutions which he intended to have offered in the House of Burgesses; besides recommending among other subjects for the consideration of the proposed general meeting of deputies, a consideration of the best means to stop the *exports* from the colonies, to the mother country. This passage of the address, is in these words, "that deputies be appointed from the several colonies, to consider and determine upon ways the most effectual, to stop the exports from North America; and to adopt such other methods, as shall be most decisive for securing the constitutional rights of America, against the systematic plan formed for their destruction." The idea of stopping the exports from the colonies, as far as the author can ascertain, derives from Mr. Lee.

The following letter to Samuel Adams, Esq., written shortly after the act for shutting up the port of Boston had gone into operation, relates the proceedings of the House of Burgesses, after the dissolution, and contains

a copy of the resolutions which Mr. Lee intended to have offered to the House. The correspondence of these two great men, and eminent patriots, will be read with increasing interest, as the reader approaches the period of battle and bloodshed.

[*Letter of R. H. Lee, to Samuel Adams.*]

"CHANTILLY, VA.
JUNE 23, 1774.

SIR—I did myself the pleasure of writing to you, from this place, before my departure for our Assembly, in May last, and again, from Williamsburg, immediately after our dissolution, enclosing the order for a fast, which produced that event; and an account of the subsequent conduct of the members, after the political death inflicted on them. The day before we were dissolved, I had prepared a set of resolutions, the two last of which, were thus expressed:

"*Resolved*, That the blocking up, or attempting to block up the harbour of Boston, until the people there shall submit to the payment of the taxes imposed upon them, without the consent of their representatives, is a most violent and dangerous attempt to destroy the constitutional liberty and rights of all British America.

"*Resolved*, That . . . . . be appointed deputies from this House, to meet at . . . . . such deputies from the other colonies as they shall appoint, there to consider and determine on ways the most effectual to stop the exports from North America, and for the adoption of such other measures, as may be most decisive, for securing the rights of America against the systematic plan formed for their destruction."

I have not a remaining doubt that these resolutions would have been agreed to, had they been proposed. I was prevented from offering them, by many worthy members, who wished to have the public business first finished, and who were induced to believe, from many conversations they had heard, that there was no

danger of a dissolution, before it had happened. It seems government were alarmed at the spirit which the order for a fast denoted, and fearing the consequences, interposed a dissolution. The consequent conduct of the members, was surely much too feeble, in opposition to that very dangerous and alarming degree, to which despotism had advanced. So thinking, I did propose to the dissolved members, the plan of a general Congress; but they made a distinction, between their then state, and that, when they were members of the House of Burgesses. Most of the members, and myself among the rest, had left Williamsburg, before your message from Boston had arrived. Twenty-five of them, however, were assembled to consider of that message, and they determined to invite a general meeting of the whole body, on the first of August, to consider the measure of stopping the exports and imports. Since that, an Indian invasion of our frontier, has compelled the calling a new Assembly, for which purpose, writs, returnable to the eleventh August, are now out, at which time, it is thought the House will meet; when, I think, there is no manner of doubt, they will directly adopt the most effectual means in their power, for obtaining a redress of grievances. In the mean time, the sense of some counties is taking, and two have already declared their desire to stop the commercial intercourse between Great Britain and the West Indies, and this colony. It seems very clear to me, that there will be a general agreement. Do you not think, that the first most essential step for our Assembly to take, will be an invitation to a general Congress, as speedily as the nature of things will admit, in order that our plan, whatever it may be, may be unanimous, and therefore effectual. I shall be in Williamsburg the first of August, and shall continue there until the meeting of Assembly on the eleventh. It will be exceedingly agreeable to me, to know your sentiments fully, on this most important subject. I am sure it will be of real consequence to the cause of liberty, that your committee of correspondence write fully your sentiments to ours,

at the same time. It will be well, so to time the matter, as that your letters may be in Williamsburg before the first of August, at which time, a meeting of the late representatives will take place, notwithstanding the return of the writs to the eleventh instant.*

I hope the good people of Boston will not loose their spirits under their present heavy oppression, for they will certainly be supported by the other colonies; and the cause for which they suffer, is so glorious, and so deeply interesting to the present, and future generations, that all America will owe, in a great measure, their political salvation to the present virtue of Massachusetts-Bay. I am, sir, with very singular regard,

Your most obedient,
and humble servant,
RICHARD HENRY LEE.

To SAMUEL ADAMS, Esq., BOSTON."

[*Samuel Adam's Reply.*]

" SIR—I have lately been favoured with three letters from you, and must beg you to attribute my omitting to make due acknowledgments till this time, to a multiplicity of affairs to which I am obliged to give my constant attention. The unrighteous and oppressive act of the British Parliament for shutting up this harbour, though executed with a rigour beyond the intent, even of its framers, has hitherto failed, and will, I believe, continue to fail of the effect, which the enemies of America flattered themselves it would have. The inhabitants still wear cheerful countenances; far from being in the least intimidated, they are resolved to undergo the greatest hardships rather than submit in any instance to the tyrannical act. They are daily encouraged to persevere, by the intelligence they receive from their brethren, not of this province only, but every other

* They did meet on the first of August, to show that they met according to their *own* appointment, and not in obedience to the *king's* writs.

colony, that they are considered as suffering in the common cause, and the resolution of all to support them in the conflict. Lord North had no expectation that we should be thus sustained; on the contrary, he trusted that Boston would be left to fall alone. He has therefore made no preparation for the effects of an union. From the information I have had from intelligent persons in England, I verily believe the design was to seize some persons and send them home; but the steadiness and prudence of the people, and the unexpected union of the colonies, evidenced by liberal contributions for our support, has disconcerted them and they are at a loss to know how to proceed further. Four regiments are encamped on our common and more are expected; but I hope the people will by circumspect behaviour, prevent their taking occasion to act. The port bill is followed by two other acts, one for regulating the government of this province, or rather totally to destroy our free constitution, and substituting an absolute despotic one in its stead; the other for the more *impartial* administration of justice, or as some term it for screening from punishment any soldier who shall murder an American, for asserting his rights. A submission to these acts will doubtles be required and expected; but whether General Gage will find it an easy thing to *force* the people to submit to so great and fundamental a change of government, is a question I think worth his consideration. Will the people of America consider these measures as an attack on the constitution of an individual province, in which the rest are not interested, or will they view the model of government prepared for us as a system for the whole continent? Will they as unconcerned spectators, look on it to be designed only to lop off the exuberant branches of democracy in the constitution of this province, or as part of a plan to reduce them all to slavery. These are questions, in my opinion, of great importance, which I trust will be thoroughly weighed in a general congress. May God

inspire that intended body with wisdom and fortitude, and unite and prosper their councils.

The people of this province are thoroughly sensible of the necessity of breaking off all commercial connection with a country, whose political councils tend only to enslave them. They, however, consider the body of the nation as kept in profound ignorance of the nature of the dispute between Britain and the colonies, and are taught to believe that we are a perfidious and rebellious people. It is with reluctance they come into any resolutions, which must distress those who are not the objects of their resentments, but they are urged to it by motives of self-preservation; and are therefore signing an agreement in the several towns, not to consume any British manufactures, which shall be imported after the last of August next, and that they may not be imposed upon, they are to require an oath of those of whom they purchase goods. It is the virtue of the yeomanry we are chiefly to depend upon. Our friends in Maryland talk of withholding the exportation of tobacco; this was hinted to us by the gentlemen of the late House of Burgesses of Virginia, who had been called together, after the dissolution of the Assembly. This would be a measure greatly interesting to the mother country.

Should America hold up her own importance to the body of the nation, and at the same time agree to one general bill of rights, the dispute might be settled on principles of freedom, and harmony be restored between Great Britain and the colonies.

I am, with great regard,
your friend and servant,
SAMUEL ADAMS.

To RICHARD HENRY LEE, Virginia."

Soon after Mr. Lee's return from Williamsburg, he procured a very full meeting of the inhabitants of Westmoreland. And after haranguing them on the state of affairs, and inveighing in bold and indignant terms

against the English ministry, dwelling in pathetic description on the sufferings of their countrymen in Boston, he proposed several resolutions. These expressed a warm sympathy for the people of that town, cheered them by assurances of support, and exhorted them to persevere in their manly resistance. The author has in his possession, a manuscript outline of Mr. Lee's harangue on this occasion, and a copy of the resolutions. A corresponding committee for his native county was now formed, and of it, he was a diligent member.

CHAPTER V.

Mr. Lee used the utmost diligence as a member of the state committee of correspondence, to collect the sense of the different colonies, on the subject of a general Congress. He had proposed to the members of the House of Burgesses, after their dissolution, at once to recommend such a measure; but the majority preferred a course of more delay. He was apprehensive, unless he could assure the Assembly, (which was to meet the first of August,) that the other colonies approved the immediate adoption of the plan, that a recommendation of the measure by Virginia, would be again postponed. He was evidently prepared for the exigency of affairs; seeing clearly that a struggle would, very soon become, not only a duty, but a matter of necessity, he wished to prepare for it, the strength and the wisdom of all the colonies; and seems early to have entertained the idea, that no measure could be devised, so well calculated to ensure an effectual union, as a federal Congress. Such a body alone, he believed, could awaken the moral energies of the people, and apply and direct their physical powers. Hence he urged its adoption, with all the zeal of devotion to his country, and with all the force of his powerful and persuasive eloquence.

The first General Assembly of Virginia met at Williamsburg, on the first of August, 1774. In it were present all the conspicuous men of the state, among whom Mr. Lee ardently exerted himself to induce the adoption of every measure calculated to render his country able to meet even the worst event: distinguishing himself as a powerful, an eloquent, and an intrepid assertor of the rights of his countrymen. He strenu-

ously urged the propriety of making common cause with the people of Boston; of breaking off all commercial intercourse with the mother country, and of recommending an immediate meeting of a general congress. This last measure was carried in the Assembly, and the following deputies were chosen: Messrs. Peyton Randolph, Richard Henry Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison, and Edmund Pendleton. The letter of instructions furnished to the deputies, displays, in a strong and cheering light, the talents and firmness of the patriots of Virginia.

The purpose of this appointment, and the tenor of the letter of instructions accompanying it, were entirely congenial to the spirit and views of Mr. Lee. Whatever hopes he may have entertained of a restoration of harmony between the mother country and the colonies, from the measures which might be adopted in a general congress, he considered such an assembly as the surest mean of organizing efficient plans of resistance. It opened to him a new and enlarged sphere of exertion. His generous and comprehensive patriotism had long since embraced the mutual interests, deplored the general oppression, and gloried in the assertion of the common cause of America. The prospects of the labours and trials of a public life earnestly devoted to the business of an extensive country, in a gloomy period, did not repress the ardor, or check the activity, of his mind. No one ever obeyed with more alacrity the call of his country. No patriot ever acted more entirely on the principle, that every man owed his most cheerful and unwearied efforts to his country, especially in times of trouble and danger. None of the great men of that day carried into the public service a firmer fortitude, a more exalted patriotism, and a more enduring patience.

It will, perhaps, be not unacceptable to the reader, to be presented with a letter written about this time, by Colonel Washington to Mr. Lee. This letter is interesting, as it was written by him who was to become the great military leader of the revolution. This shows the

sound sense which he exhibited, as well in council as in the field. It is the first letter of a correspondence, of the most affectionate and confidential character, between General Washington and Mr. Lee, beginning in the year '74, and continuing until the death of the latter. This correspondence was on subjects of the deepest interest and importance to the country. The letters of General Washington were as frequent as his all-important labours would allow; written from the camp and the field of battle; on the day of disaster and of victory; from his fireside, and from the banks of the rivers, whose courses he traces, and whose possible communications he considers.*

"WILLIAMSBURG, AUGUST 9, 1774.

DEAR SIR—If this letter should, (though I do not see any probable chance that it will,) reach your hands in time, it is to ask, if you do not think it necessary, that the deputies from this colony, should be furnished with authentic lists of the exports and imports annually, more especially to and from Great Britain; and, in that case, to beg of you to obtain such from the custom-house officers on the Potomac and Rappahannock. I have de-

* In a late work, "Sketches of the Life of N. Green, by William Johnson, of South Carolina," the author has, without due inquiry, stated more than once, that Richard H. Lee, and other eminent men of the revolution, were inimical to General Washington, particularly about the period of the trial of General Charles Lee. The same remark is made, in regard to the brothers of Mr. Lee, Francis L. Lee, and Arthur Lee, Esqrs. In addition to the full evidence of the entire want of foundation of these hasty *assertions*, which the reader will find in this Memoir, and the correspondence of General Washington, it may here be remarked, that General Green, whose unshaken attachment to Washington is justly made one of his merits by the author, was a warm friend and constant correspondent of Richard H. Lee, during the very time when the latter is said to have been inimical to General Washington. It was the effort of *tories* to create a distrust between General Washington and R. H. Kee. It had not the intended effect. The illustrious statesman who *moved* the declaration of independence, and the immortal chief who established its principles by his victories, admired and loved each other.

sired the speaker, if he should think it expedient, and might not have thought of it, to do the same from the York, and James Rivers offices.

I have got an account (though not a certified one,) from Mr. Wythe, of our number of taxables in 1770, since increased (Archy Carey says) to 10,000, as would have appeared by the list which would have been returned in May, if the session had gone on.

I am, with esteem, dear sir,

your most obedient servant,

GEORGE WASHINGTON.*

P. S. If you should travel to Philadelphia by land, I should be glad of your company. Mr. Henry, is to be at my house on his way, Tuesday the thirtieth instant."

Mr. Lee was unavoidably detained in Virginia, and did not reach Philadelphia as soon as his colleagues. He made every effort, however, to appear promptly at the meeting of the Congress, and was able to take his seat, before the House had commenced its deliberations.

Here he became personally acquainted with the distinguished men of the several colonies, with whom he had for some time corresponded. To most of the members, his character was already known, for his fame had extended beyond the limits of his native state. It may easily be imagined, how cordial was the meeting between those patriots, who had interchanged the most friendly sentiments; who had felt the sympathies of congenial minds; who had long entertained the same political views; who had devoted their services to the welfare of their common country; and were willing to sacrifice their lives and fortunes, for its freedom and happiness.

A more able and a more virtuous body, than the first continental Congress, never assembled. A more mo-

* See the very interesting correspondence with Washington, in vol. ii.

mentous business, never demanded the attention of men, than that, which was about to employ their minds. The liberty of themselves and their posterity, depended upon the wisdom and vigour of their councils. "To this venerable body," it has been well said, "every American heart will bow with homage, while the name of liberty shall be dear in our land."*

After several days had been spent, in the examination of the credentials of the members, and in other preliminary arrangements, the House was at length completely and solemnly organized. The day on which the House was to commence its deliberations arrived. It met, and "a long and deep silence is said to have followed its organization."† Patrick Henry was the first speaker on this occasion. "He was followed" says his biographer, "by Mr. Richard Henry Lee, who charmed the House with a different kind of eloquence. Chaste, classical, beautiful, his polished periods rolled along without effort, filling the ear with the most bewitching harmony, and delighting the mind with the most exquisite imagery."

Great expectations had been formed of Mr. Lee, by the House generally, and particularly by those of the members with whom he had previously corresponded. Seldom have expectations been so completely answered. It was not the lustre of abilities, nor the splendour and richness of his eloquence, nor the fire and the grace of his oratory, which so forcibly struck the House. It was the comprehensive view of the subject he took; the variety of political knowledge he exhibited; the maturity of wisdom; the dignity of sentiment; the boldness and elevation of spirit he displayed, which so raised the hopes, so cheered and animated the friends of American freedom. He vividly and indignantly described and enumerated the wrongs of America; and learnedly and accurately stated her constitutional rights. He discovered a perfect knowledge of the resources and interests of the mother country; of the views and policy of

* Life of Patrick Henry. p. 105. † Ibid. p. 106.

her ministers; of the resources of the colonies; and of the interests and motives likely to govern and actuate the powerful rivals of Great Britain.

This first occasion on which Mr. Lee spoke in Congress, afforded a happy subject for the display of his eloquence, and political knowledge, his zeal for liberty, and his devotion to his country. He was deeply interested in the solemn questions about to be agitated, and he was endeavouring, effectually, to aid in securing the freedom of his country.

The Congress met on the 4th of September, 1774. On the sixth instant, it was resolved, "that a committee be appointed, to state the rights of the colonies in general, the several instances in which those rights are violated or infringed, and the means most proper to be pursued, to obtain a restoration of them."* It was determined that this committee should consist of two members from each colony. As the assembling of a Congress, and the adoption of every measure was to be justified, on the ground of the violation of the rights of all the colonies, it was highly wise, that the views and grievances of all should be fully stated. The House would thus become certainly and minutely acquainted with the feelings of the people, harmony and concert would prevail, and necessary measures would be unanimously adopted.

Mr. Lee and Mr. Pendleton, were selected from the Virginia deputation.†

* See Journals, vol. i. p. 10, 11.

† Ibid, p. 11.—In pages 107, 8, of the Life of Patrick Henry, the author has led his readers to infer, that R. H. Lee, and P. Henry, though great and eloquent declaimers, were not only unskilled in composition, but unpractised in the "dry details of business." Of P. Henry, his biographer had a right to speak. Of the success of Mr. Lee in compositon, it is believed, sufficient evidence has already been given in this Memoir. The reader will find more ample proof of the abilities, and other qualifications of Mr. Lee as a writer. Of no man of genius, not even of the younger Pitt, can it be said with less truth, than of R. H. Lee, that he was not great

On the seventeenth of September, a spirited preamble and resolutions of the several towns and districts of Suffolk, in Massachusetts, and an address to Governor Gage, were laid before Congress.* The sentiments expressed in them, were in unison with those of the whole Congress, but more particularly acceptable to Mr. Lee. Accordingly, he moved, and it was unanimously

Resolved, "That this Assembly deeply feel the sufferings of their fellow citizens in Massachusetts Bay, under the operation of the late unjust, cruel, and oppressive acts of the British Parliament; that they most thoroughly approve of the wisdom and fortitude, with which opposition to these wicked ministerial measures hath hitherto been conducted; and it earnestly recommends to their brethren, a perseverance in the same firm and temperate conduct, as expressed in the resolutions determined upon, at a late meeting of the delegates for the county of Suffolk, on Tuesday, the sixth instant, trusting that the effects of the united efforts of North America, in their behalf, will carry such conviction to the British nation, of the unwise, unjust, and ruinous policy of the present administration, as quickly to introduce better men, and wiser measures.

Resolved, "That contributions from all the colonies, for supplying the necessities, and alleviating the distresses

in the "dry details of business." The journals of the old Congress, the universal attestation of his cotemporaries, and manuscripts now in the possession of the author, abundantly establish the fact, that his habits of patient investigation, unwearied attention to the driest details of business, and his aptitude to the performance of them, his knowledge of men and things, the order and method of his transactions, were as remarkable as the brilliancy and sprightliness of his fancy, and the extent of his knowledge. He was either chairman, or a member of every military and naval, as well as of every miscellaneous business committee, during his long deputation to the continental Congress. Letters to Mr. Lee, from General Washington, and almost every general officer, down to deputy quartermasters—from Drs. Rush, Shippen, &c., of the medical department, consulting him on the most minute details of their duties, will be found among the correspondence, vol. ii.

* See Journals, vol. i. p. 13.

of our brethren at Boston, ought to be continued in such manner, and so long as their occasions may require."*

On the 27th, Congress had under consideration, "the means most proper to be used, for the restoration of American rights."† The reader will recollect, how earnestly Mr. Lee had advised, both in and out of the legislature of Virginia, the plan of non-importation of all articles of British manufactures. He had also proposed the plan of stopping all exports to Great Britain, from the colonies. He advised these plans, as of the most probable efficacy, not, indeed, in changing the purposes of the ministry, but in bringing the interests of the nation into opposition to their policy and measures. He now, with equal earnestness and ability, urged Congress to the adoption of a general system of non-intercourse, and resolutions expressing the expediency of such a system, were adopted. A committee was appointed to report a plan, for carrying into effect these resolutions. Mr. Lee was one of this committee; and the plan reported, was very similar to that which he had advised in his own state, and which had there been extensively adopted. The importance of the trade of the mother country with the colonies, was obvious to any one, at all acquainted with the extent of it. To Mr. Lee, who was accurately informed on the subject of the commercial and financial relations of the two countries, a non-intercourse, appeared a measure which could not fail to have a powerful operation, and a decisive effect. He wisely foresaw, that if it failed to array the interests of the nation, against its willingness to be flattered by ministerial theories of Parliamentary omnipotence, war must follow. With how much wisdom he had long urged an entire cessation of trade, may be seen, by referring to Mr. Burke's speech on "American Taxation," for its importance to the mother country. "The trade with America

* Taken from the original manuscipts of Mr. Lee. See Journ p. 19.

† Ibid, p. 21.

alone, is now (March 22, 1775) less than 500,000*l.*, of being equal to what this great commercial country, England, carried on at the beginning of this century, with all the world."

On the 1st October, the Congress having resumed the consideration of the means necessary to the restoration of American Rights, resolved unanimously, "that a loyal address to his majesty be prepared, dutifully requesting the royal attention to the grievances which alarm and distress his majesty's faithful subjects in North America; and entreating his majesty's gracious interposition to remove such grievances; thereby to restore to Great Britain and the colonies, that harmony so necessary to the happiness of the British empire, and so ardently desired by all America." It was ordered that Mr. Lee, Mr. J. Adams, Mr. Johnson,* Mr. Henry, and Mr. Rutlege be a committee to prepare such an address to his majesty.†

It has often been remarked of Mr. Lee, that boldness and energy were striking traits in both his private and public character; whilst he, no doubt, trembled at the prospect of the *distresses* which war would bring upon his family and country, he was not "afraid steadily to look in the face of that glaring and dazzling splendour,"

* The author cannot pass the name of this gentleman, without a tribute to his memory, which every virtuous American must delight to bestow. He was one of the ablest men in the old Congress. There did not live in, those times which "tried men's souls," a purer patriot, or a more efficient citizen. He was governor of Maryland during the darkest period of the Revolution. Under his administration, Maryland was distinguished for her devotion to the common cause. On one occasion, when General Washington was retreating through the Jersies, he raised a large body of Maryland militia, and marched at their head to his camp, by whom he was received with the most marked respect. He was, under the federal government, a judge of the United States' court. He was frequently in flattering terms invited by General Washington to accept of the appointment of secretary of state. No Roman citizen ever loved his country more. His private virtues entitled him to veneration and love. Thomas Johnson was, indeed, an honour to the cause of liberty!

† Journal, p. 22.

of English power, "at which the eyes of eagles had blenched." On the third of October, he moved the following strong and spirited resolution: *Resolved* "That as we find the reason declared in the preamble to the acts of Parliament, for raising a revenue in America, to be for supporting the civil government, the administration of justice, and for protecting, defending and securing the colonies," the Congress recommend it to those colonies, in which it has not been already done, to provide constitutional, competent, and honourable support for the purposes of government, and administration of justice; and that as it is quite unreasonable, that the mother country should be at the expense of maintaining standing armies in North America, for its defence; and that administration may be convinced, that this is unnecessary and improper, as North America is able, willing, and under Providence, determined to defend, protect, and secure itself, the Congress do most earnestly recommend to the several colonies, that a militia be forthwith appointed and well disciplined, and that it be well provided with ammunition and proper arms."* That Mr. Lee was not outrunning the exercise of a sound policy, and was not hastening unnecessarily a state of war, will be obvious to the statesman; for at this moment, Boston was occupied by a regular army, and military works were carried on daily around it; and the course of events proved that the ministry never were convinced, from their conciliatory measures, and from the dutiful addresses of Congress, that North America would dare to arm and defend itself. To a majority of the members, the resolution appeared too strong. They were apprehensive, lest it might be understood as speaking the language, and breathing the spirit of menace and rebellion. It was modified to suit the cautious temper of the House, and adopted in the following language: *Resolved unanimously,* That it be an instruction to the committee appointed to draw up

* From the original manuscript of Mr. Lee.

an address to the king. Whereas Parliamentary taxes on America have been laid, on pretence of "defraying the expenses of government, and supporting the administration of justice, defending, protecting, and securing the colonies," that they do assure his majesty the colonies have, or will make ample provision for defraying all the necessary expenses of supporting government, and the due administration of justice in the respective colonies; that the militia if put on a proper footing would be amply sufficient for their defence in time of peace; that they are desirous of putting it on such a footing, immediately, and that in case of war, the colonies are ready to grant supplies for raising any further forces that may be necessary.*

How tamed and subdued is the language of the resolution finally adopted, compared with that first moved. An endorsement on the original manuscript of Mr. Lee, shows plainly, that he was a good deal displeased, at the rejection of his resolution in the language in which it was offered. It is in these words: "A motion made in Congress by R. H. Lee, to apprise the public of danger, and of the necessity of putting the colonies, in a state of defence. A majority had not the spirit to adopt it." The same caution which caused the rejection of Mr. Lee's motion, induced all the older members of the Virginia Assembly, to oppose a motion to arm the militia of that colony, made by P. Henry, in a subsequent year.

On the sixth of October, the Congress resumed the consideration of the means proper to be used for the restoration of their rights. While it was deliberating, an express arrived from Boston, with a letter addressed by the committee of correspondence of that town. The committee informed Congress of the military proceedings of General Gage, and particularly complained of the erection of fortifications around the town, which, with the ships in the harbour, will command every ave-

* Ib. page 22.

nue into the town. It is stated in the letter, "that after the town is enclosed, it is apprehended that the citizens will be held as hostages for the submission of the people of the county; they apply, therefore, to Congress for advice how to act; that if Congress advise to quit the town, *they obey;* that if it is judged, that by maintaining their ground, they can better serve the public cause, they will not shrink from hardship and danger, &c."* Every one must admire the firm and generous devotion to their country, which inspired the committee, and the inhabitants of Boston. To Mr. Lee, no sacrifice could seem too great to be made; no hardship too severe to be endured, when submission to tyranny, would be the consequence of shrinking from suffering. Judging of the citizens of Boston, from his own feelings, and indeed, from their own conduct and declarations, he did not hesitate to advise them to quit the town, as a longer subjection to military control, would be as inconsistent with the feelings of freemen, as the continuance in the town might be dangerous to themselves, and injurious to the public cause. He therefore moved, that it be resolved, "that the Congress are of opinion, that it is inconsistent with the honour and safety of a free people to live within the control, and exposed to the injuries of a military force, not under the government of the civil power. And as General Gage has thought proper to take possession of the town of Boston with an armed force, and is converting that once free city, into a military garrison, the Congress advise from every motive of honour, safety and wisdom, that the free citizens of Boston, no longer expose themselves to the dangerous consequences of the military manœuvring carrying on against the town, but quit the place, and find an asylum among their hospitable countrymen, who will no doubt, on this trying occasion, display that virtuous humanity, which may be so deservedly exercised towards their brethren and oppressed fellow citizens; and it is earnestly recommended

* See Journal, p. 23.

to all British America, from time to time to supply these, their distressed and deserving countrymen."* This resolution was rejected; and the expediency of leaving the town, was left to the consideration of the provincial Assembly. It was also resolved, "that in the event of such a measure, it would be recommended to the colonies, to contribute towards recompensing them for any injury they may thereby sustain." This resolution was *unanimously* adopted. The second resolution, which recommended to the inhabitants of Massachusetts Bay, "to *submit* to the suspension of the administration of justice, where it cannot be had in a legal and peaceable manner, according to their present charter, and the laws grounded thereon," was carried by a *majority*. Mr. Lee voted, however, in the *minority*.† It is not intended by this remark, to contrast the votes of the two parties. The majority consisted of firm and fearless men; but, they thought that conciliatory measures would most probably alter the present policy of the mother country. Mr. Lee, on the contrary, thought that bold and energetic measures alone, would induce ministers to redress our grievances; for he always declared it was obvious, that they thought that America would never resist by force, any edict of England. He believed, that if by measures just short of war, a contrary conviction could be produced in the minds of the ministry, or a majority of the English people, war might be avoided: or, if still they blindly and proudly persevered in contemning the spirit of their colonies, and trampling on their rights, the country would be prepared for a resort to arms. It is said, however, that Mr. Lee had been long convinced, that this resort would be necessary, and that it would terminate, though leading through danger and suffering, in the independence of his country.

On the 11th October, it was resolved unanimously, that a memorial be prepared to the people of British

* Taken from the original manuscript of Mr. Lee.
† Journal, p. 25.

America, stating to them the necessity of a firm, united, and invariable observance of the measures recommended by Congress, as they tender the invaluable rights and liberties derived to them from the laws and constitutions of their country. Also, that an address be prepared to the people of Great Britain." Mr. Lee, Mr. Livingston, and Mr. Jay, were appointed to prepare the memorial and address.*

In an account given by the author of the "Life of Patrick Henry," of the part performed by the gentlemen who composed the two leading committees of this session of Congress, viz. that appointed to prepare the memorial and address, and that to prepare an address to the king, which was appointed on the first instant, it is stated, that Mr. Lee was charged with the address to the people of England; that a draught was reported by him, which occasioned great disappointment, and was recommitted, and entirely superseded by one prepared by Mr. Jay. It is there also stated, that the petition to the king, which was finally adopted, was written by Mr. Dickinson.

It may, however, be safely asserted, that this account of the production of these celebrated state papers, is, in some respects, essentially erroneous. From a communication which the author received from Mr. Jay,† in reply to inquiries addressed to him on this subject, the reader will be satisfied, that the account here given, rests on the most direct and authentic information.‡ Mr. Jay was one of the committee ordered to prepare the memorial and address, and must be supposed to be well informed of the proceedings of the committee to which he belonged, and of the body in which he acted. With the poet he can say,

> "—— Quæque ipse vidi—
> Et quorum pars magna fui."——

* Journ. p. 27.

† This great and good man still lives, in the enjoyment of that liberty for which he laboured, and of the veneration of every virtuous citizen.

‡ See Mr. Jay's letter, Appendix, No. 3.

From the communication just referred to, it seems improbable that the petition to the king was written by Mr. Dickinson. The general impression has been, from its first appearance to the present times, that it was written by Mr. Lee. The author of the "Life of Washington," in his account of the proceedings of the Congress of '74, says, that the composition of the address to the people of England had been generally attributed to Mr. Jay, and that of the petition to the king to Mr. Lee. This general impression as to the real author of the address, is now well known to be correct. There is reason to believe, that it is equally correct, with regard to the writer of the petition. Mr. Lee was *chairman* of the committee to prepare the memorial and address, and also of that to draw up the petition to the king. The intrinsic evidence that he was the writer of the petition, will appear very strong to the intelligent reader, who will compare the composition of it with that of the memorial to the people of British America.

It was agreed, in the committee, to draw the memorial and the address; that Mr. Lee should prepare a draught of the memorial, which was the first both in order and importance; and that Mr. Jay should prepare a draught of the address, both of which were done accordingly.* Thus it is certain, that Mr. Lee did not undertake to write the address to the people of Great Britain. In making the report of the committee, he may have read it, as the chairman; the honour of composing it belongs to Mr. Jay. It is equally certain, that Mr. Lee wrote the memorial to the people of British America. The fact that these draughts, upon their being first reported, were recommitted, does not justify the inference of imperfection in the composition of the originals. It would seem probable, that no writer could anticipate every idea which might be suggested in a large and able body, or that he could foresee the exact relative importance, in its estimation, of every right, and the violation of it. The

* See id. in App. No. 3.

recommitments were made, with instructions to *add* some other matter which appeared to the Congress important.

In the remarks tending to prove that Mr. Lee was the writer of the petition to the king, it must not be supposed, for a moment, that the least intention, or wish, has been entertained to diminish the fame of Mr. Dickinson, to whom this document has been sometimes attributed. We would give to each, his own; the fame of Mr. Lee, does not require the slightest diminution of the just claims of honour, of any of his great and patriotic cotemporaries. And the address of the Congress to the people of Quebec, is honourable evidence of the ability of Mr. Dickinson.

The great celebrity of the addresses, &c., of the Congress of '74-5, will justify the author of this Memoir, in the efforts he has made to ascertain the true share of honour to which Mr. Lee is entitled. These public papers cannot be too often read by the countrymen and descendants of their authors. They inspired the people of the colonies with unbounded confidence in the wisdom and ability of their delegates, and attracted the admiration, respect, and sympathy of Europe, towards themelves and the cause of America. The reader will, no doubt, recollect the eulogy of Lord Chatham. Speaking in the House of Lords, of these papers, which had reached England, he said, " when your lordships look at the papers transmitted to us from America,* when you consider their decency, firmness, and wisdom, you cannot but respect their cause, and wish to make it your own. For myself, I must declare and avow, that in all my reading and observation, and it has been my favourite study, I have read Thucydides, and have studied and admired the master states of the world—that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such complication of circumstances, no nation, or body of men, can stand in preference to the general Congress at Philadelphia."

* The memorial, address, and petition, were transmitted to the colony agents, to be presented and printed.

The biographer of Mr. Lee, would be unfaithful to his memory, were he not to record in the history of his political life, *that* one of these admirable productions, of which he was certainly the author.

"*To the inhabitants of the colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the counties of New Castle, Kent, and Sussex on Delaware, Maryland, Virginia, North Carolina, and South Carolina.*

FRIENDS AND COUNTRYMEN,

We, the delegates appointed by the good people of these colonies to meet at Philadelphia, in September last, for the purposes mentioned by our respective constituents, have, in pursuance of the trust reposed in us, assembled, and taken into our most serious consideration, the important matters recommended to the Congress. Our resolutions thereupon, will be herewith communicated to you. But as the situation of public affairs grows daily more and more alarming; and as it may be more satisfactory to you to be informed by us in a collective body, than in any other manner, of those sentiments that have been approved, upon a full and free discussion, by the representatives of so great a part of America, we esteem ourselves obliged to add this address to these resolutions.

In every case of opposition by a people to their rulers, or of one state to another, duty to Almighty God, the Creator of all, requires that a true and impartial judgment be formed of the measures leading to such opposition; and of the causes by which it has been provoked, or can in any degree be justified, that neither affection on the one hand, nor resentment on the other, being permitted to give a wrong bias to reason, it may be enabled to take a dispassionate view of all circumstances, and to settle the public conduct on the solid foundations of wisdom and justice.

From councils thus tempered arise the surest hopes of the divine favour, the firmest encouragement to the parties engaged, and the strongest recommendation of their cause to the rest of mankind.

With minds deeply impressed by a sense of these truths, we have diligently, deliberately, and calmly inquired into, and considered those exertions, both of the legislative and executive power of Great Britain, which have excited so much uneasiness in America, and have, with equal fidelity and attention, considered the conduct of the colonies. Upon the whole, we find ourselves reduced to the disagreeable alternative of being silent and betraying the innocent, or of speaking out and censuring those we wish to revere. In making our choice of these distressing difficulties, we prefer the course dictated by honesty, and a regard for the welfare of our country.

Soon after the conclusion of the late war, there commenced a memorable change in the treatment of these colonies. By a statute made in the fourth year of the present reign, a time of profound peace, alleging, "the expediency of new provisions and regulations for extending the commerce between Great Britain and his majesty's dominions in America, and the necessity of raising a revenue in the said dominions for defraying the expenses of defending, protecting, and securing the same," the Commons of Great Britain undertook to give and grant to his majesty many rates and duties, to be paid in these colonies. To enforce the observance of this act, it prescribes a great number of severe penalties and forfeitures; and in two sections makes a remarkable distinction between the subjects in Great Britain, and those in America. By the one, the penalties and forfeitures incurred *there*, are to be recovered in any of the king's courts of record at Westminster, or in the court of exchequer in Scotland; and by the other, the penalties and forfeitures incurred *here*, are to be recovered in any court of record, or in any court of admiralty, or vice admiralty, at the election of the informer or prosecutor.

The inhabitants of these colonies, confiding in the justice of Great Britain, were scarcely allowed sufficient time to receive and consider this act, before another, well known by the name of the stamp act, and passed in the fifth year of this reign, engrossed their whole attention. By this statute the British Parliament exercised in the most explicit manner a power of taxing us, and extending the jurisdiction of courts of admiralty and vice admiralty in the colonies, to matters arising within the body of a county, and directed the numerous penalties and forfeitures thereby inflicted, to be recovered in the said courts.

In the same year a tax was imposed upon us, by an act establishing several new fees in the customs. In the next year the stamp act was repealed; not because it was founded in an erroneous principle, but, as the repealing act recites, because "the continuance thereof would be attended with many inconveniences, and might be productive of consequences greatly detrimental to the commercial interest of Great Britain."

In the same year, and by a subsequent act it was declared, "that his majesty in Parliament, of right, had power to bind the people of these colonies by statutes in all cases whatsoever."

In the same year, another act was passed, for imposing rates and duties payable in these colonies. In this statute the commons, avoiding the terms of giving and granting "humbly besought his majesty that it might be enacted, &c." But from a declaration in the preamble, that the rates and duties were "in lieu of" several others granted by the statute first before mentioned for raising a revenue, and from some other expressions it appears, that these duties were intended for that purpose.

In the next year, [1767,] an act was made "to enable his majesty to put the customs and other duties in America under the management of commissioners, &c." and the king thereupon erected the present expensive board of commissioners, for the express purpose of carrying

into execution the several acts relating to the revenue and trade in America.

After the repeal of the stamp act, having again resigned ourselves to our ancient unsuspicious affections for the parent state, and anxious to avoid any controversy with her, in hopes of a favourable alteration in sentiments and measures towards us, we did not press our objections against the above mentioned statutes, made subsequent to that repeal.

Administration, attributing to trifling causes, a conduct that really proceeded from generous motives, were encouraged in the same year, (1767) to make a bolder experiment on the patience of America.

By a statute, commonly called the glass, paper, and tea act, made fifteen months after the repeal of the stamp act, the Commons of Great Britain resumed their former language, and again undertook to "give and grant rates and duties to be paid in these colonies," for the express purpose of "raising a revenue, to defray the charges of the administration of justice, the support of civil government, and defending the king's dominions," on this continent. The penalties and forfeitures, incurred under this statute, are to be recovered in the same manner, with those mentioned in the foregoing acts.

To this statute, so naturally tending to disturb the tranquillity then universal throughout the colonies, Parliament, in the same session, added another, no less extraordinary.

Ever since the making the present peace, a standing army has been kept in these colonies. From respect for the mother country, the innovation was not only tolerated, but the provincial legislatures generally made provision for supplying the troops.

The Assembly of the province of New York, having passed an act of this kind, but differing in some articles, from the directions of the act of Parliament made in the fifth year of this reign, the House of Representatives in that colony was prohibited by a statute made in the last session mentioned, from making any bill, order,

resolution, or vote, except for adjourning or choosing a speaker, until provision should be made by the said Assembly for furnishing the troops within that province, not only with all such necessaries as were required by the statute which they were charged with disobeying, but also with those required by two other subsequent statutes, which were declared to be in force, until the twenty-fourth day of March, 1769.

These statutes of the year 1767, revived the apprehensions and discontents, that had entirely subsided on the repeal of the stamp act; and amidst the just fears and jealousies thereby occasioned, a statute was made in the next year (1768) to establish courts of admiralty and vice-admiralty on a new model, expressly for the end of more effectually recovering the penalties and forfeitures inflicted by acts of Parliament, framed for the purpose of raising a revenue in America, &c.

The immediate tendency of these statutes, is to subvert the right of having a share in legislation, by rendering Assemblies useless; the right of property, by taking the money of the colonists without their consent; the right of trial by jury, by substituting in their place, trials in admiralty and vice-admiralty courts, where single judges preside, holding their commissions during pleasure; and unduly to influence the courts of common law, by rendering the judges thereof, totally dependent on the crown for their salaries.

These statutes, not to mention many others exceedingly exceptionable, compared one with another, will be found, not only to form a regular system, in which every part has great force, but also a pertinacious adherence to that system, for subjugating these colonies, that are not, and from local circumstances, cannot be represented in the House of Commons, to the uncontrolable and unlimited power of Parliament, in violation of their undoubted rights and liberties, in contempt of their humble and repeated supplications.

This conduct must appear equally astonishing and unjustifiable, when it is considered how unprovoked it has

been by any behaviour of these colonies. From their first settlement, their bitterest enemies never fixed on any of them a charge of disloyalty to their sovereign, or disaffection to their mother country. In the wars she has carried on, they have exerted themselves whenever required, in giving her assistance; and have rendered her services, which she has publicly acknowledged to be extremely important. Their fidelity, duty, and usefulness during the last war, were frequently and affectionately confessed by his late majesty and the present king.

The reproaches of those who are most unfriendly to the freedom of America, are principally levelled against the province of Massachusetts Bay; but with what little reason, will appear by the following declarations of a person, the truth of whose evidence in their favour, will not be questioned. Governor Bernard thus addresses the two Houses of Assembly in his speech on the 24th of April, 1762—"The unanimity and despatch, with which you have complied with the requisitions of his majesty, require my particular acknowledgment. And it gives me additional pleasure to observe, that you have therein acted under no other influence than a due sense of your duty, both as members of a general empire, and as the body of a particular province."

In another speech on the 27th of May, in the same year, he says,—"Whatever shall be the event of the war, it must be no small satisfaction to us, that this province hath contributed its full share to the support of it. Every thing that hath been required of it hath been complied with; and the execution of the powers committed to me, for raising the provincial troops hath been as full and complete as the grant of them. Never before were regiments so easily levied, so well composed, and so early in the field as they have been this year: the common people seem to be animated with the spirit of the general court, and to vie with them in their readiness to serve the king."

Such was the conduct of the people of the Massachu-

setts Bay during the last war. As to their behaviour before that period, it ought not to have been forgot in Great Britain, that not only on every occasion they had constantly and cheerfully complied with the frequent royal requisitions—but that chiefly by their vigorous efforts, Nova Scotia was subdued in 1710, and Louisbourg in 1745.

Foreign quarrels being ended, and the domestic disturbances that quickly succeeded on account of the stamp act, being quieted by its repeal, the Assembly of Massachusetts Bay transmitted an humble address of thanks to the king and divers noblemen, and soon after passed a bill for granting compensation to the sufferers in the disorder occasioned by that act.

These circumstances and the following extracts from Governor Bernard's letters in 1768, to the Earl of Shelburne, secretary of state, clearly show, with what grateful tenderness they strove to bury in oblivion the unhappy occasion of the late discords, and with what respectful deference they endeavoured to escape other subjects of future controversy. "The House, (says the governor,) from the time of opening the session to this day, has shown a disposition to avoid all dispute with me; every thing having passed with as much good humour as I could desire, except only their continuing to act in addressing the king, remonstrating to the secretary of state, and employing a separate agent. It is the importance of this innovation, without any wilfulness of my own, which induces me to make this remonstrance at a time when I have a fair prospect of having, in all other business, nothing but good to say of the proceedings of the House."*

"They have acted in all things, even in their remonstrance, with temper and moderation; they have avoided some subjects of dispute, and have laid a foundation for removing some causes of former altercation."†

"I shall make such a prudent and proper use of this

* January 21, 1768. † January 30, 1768.

letter, as I hope, will perfectly restore the peace and tranquillity of this province, for which purpose considerable steps have been made by the House of Representatives."*

The vindication of the province of Massachusetts Bay, contained in these letters, will have greater force, if it be considered, that they were written several months after the fresh alarm given to the colonies by the statutes passed in the preceding year.

In this place it seems proper to take notice of the insinuation of one of those statutes, that the interference of Parliament was necessary to provide for "defraying the charge of the administration of justice, the support of civil government, and defending the king's dominions in America."

As to the two first articles of expense, every colony had made such provision, as by their respective Assemblies, the best judges on such occasions, was thought expedient, and suitable to their several circumstances; respecting the last, it is well known to all men, the least acquainted with American affairs, that the colonies were established, and generally defended themselves, without the least assistance from Great Britain; and, that at the time of her taxing them by the statutes before mentioned, most of them were labouring under very heavy debts, contracted in the last war. So far were they from sparing their money, when their sovereign, constitutionally asked their aids, that during the course of that war, Parliament repeatedly made them compensations for the expenses of those strenuous efforts, which, consulting their zeal rather than their strength, they had cheerfully incurred.

Severe as the acts of Parliament before mentioned are, yet the conduct of administration hath been equally injurious and irritating, to this devoted country.

Under pretence of governing them, so many new institutions, uniformly rigid and dangerous, have been

* February 2, 1768.

introduced, as could only be expected from incensed masters, for collecting the tribute or rather the plunder of conquered provinces.

By an order of the king, the authority of the commander-in-chief, and under him, of the brigadier-generals, in time of peace, is rendered supreme in all the civil governments in America; and thus, an uncontrolable military power is vested in officers, not known to the constitution of these colonies.

A large body of troops, and a considerable armament of ships of war, have been sent to assist in taking their money without their consent.

Expensive and oppressive offices have been multiplied, and the acts of corruption industriously practised to divide and destroy.

The judges of the admiralty and vice-admiralty courts are impowered to receive their salaries and fees from the effects to be condemned by themselves.

The commissioners of the customs are empowered to break open houses without the authority of any civil magistrate, founded on legal information.

Judges of courts of common law, have been made entirely dependent on the crown for their commissions and salaries.

A court has been established at Rhode Island, for the purpose of taking colonists to England to be tried.

Humble and reasonable petitions from the representatives of the people, have been frequently treated with contempt; and Assemblies have been repeatedly and arbitrarily dissolved.

From some few instances, it will sufficiently appear, on what pretences of justice those dissolutions have been founded.

The tranquillity of the colonies having been again disturbed, as has been mentioned, by the statutes of the year 1767; the earl of Hillsborough, secretary of state, in a letter to Governor Bernard, dated April 22, 1768, censures the "presumption" of the House of Representatives, for "resolving on a measure of so inflamma-

tory a nature, as that of writing to the other colonies, on the subject of their intended representations against the late acts of Parliament," then declares that "his majesty considers this step as evidently tending to create unwarrantable combinations, to excite an unjustifiable opposition to the constitutional authority of Parliament:" and afterwards adds, "It is the king's pleasure, that as soon as the general court is again assembled, at the time prescribed by the charter, you should require the House of Representatives, in his majesty's name, to rescind the resolution which gave birth to the circular letter from the speaker, and to declare their disapprobation of, and dissent to that rash and hasty proceeding."

"If the new Assembly should refuse to comply with his majesty's reasonable expectation, it is the king's pleasure, that you should immediately dissolve them."

This letter being laid before the House, and the resolution not being rescinded according to order, the Assembly was dissolved. A letter of a similar nature was sent to other governors to procure resolutions approving the conduct of the representatives of Massachusetts Bay, to be rescinded also; and the Houses of Representatives in other colonies refusing to comply, Assemblies were dissolved.

These mandates spoke a language, to which the ears of English subjects had for several generations been strangers. The nature of Assemblies implies a power and right of deliberation; but these commands, proscribing the exercise of judgment on the propriety of the requisitions made, left to the Assemblies only the election between dictated submission, and threatened punishment: a punishment too, founded on no other act, than such as is deemed innocent even in slaves—of agreeing in petitions for redress of grievances, that equally affect all.

The hostile and unjustifiable invasion of the town of Boston, soon followed these events in the same year; though that town, the province in which it is situated, and all the colonies, from abhorrence of a contest with

their parent state, permitted the execution even of those statutes, against which they so unanimously were complaining, remonstrating, and supplicating.

Administration, determined to subdue a spirit of freedom, which English ministers should have rejoiced to cherish, entered into a monopolizing combination with the East India Company, to send to this continent vast quantities of tea, an article, on which a duty was laid by a statute, that in a particular manner, attacked the liberties of America, and which, therefore, the inhabitants of these colonies had resolved not to import. The cargo sent to South Carolina was stored, and not allowed to be sold. Those sent to Philadelphia and New York, were not permitted to be landed. That sent to Boston was destroyed, because governor Hutchinson, would not suffer it to be returned.

On the intelligence of these transactions arriving in Great Britain, the public spirited town last mentioned, was singled out for destruction, and it was determined the province it belongs to, should partake of its fate. In the last session of Parliament, therefore were passed the acts for shutting up the port of Boston, indemnifying the murderers of the inhabitants of Massachusetts Bay, and changing their chartered constitution of government. To enforce these acts, that province is again invaded by a fleet and army.

To mention these outrageous proceedings, is sufficient to explain them. For though it is pretended, that the province of Massachusetts Bay, has been particularly disrespectful to Great Britain, yet in truth the behaviour of the people, in other colonies, has been an equal "opposition to the power assumed by parliament." No step however has been taken against any of the rest. This artful conduct conceals several designs. It is expected that the province of Massachusetts Bay will be irritated into some violent action, that may displease the rest of the continent, or that may induce the people of Great Britain to approve the meditated vengeance of an imprudent and exasperated ministry. If the unexampled

pacific temper of that province shall disappoint this part of the plan, it is hoped the other colonies will be so far intimidated as to desert their brethren, suffering in a common cause, and that thus disunited, all may be subdued.

To promote these designs, another measure has been pursued. In the session of Parliament last mentioned, an act was passed for changing the government of Quebec, by which act the Roman Catholic Religion, instead of being tolerated, as stipulated by the treaty of peace, is established; and the people there are deprived of a right to an Assembly, trials by jury, and the English laws in civil cases are abolished, and instead thereof, the French laws are established, in direct violation of his majesty's promise by his royal proclamation, under the faith of which many English subjects settled in that province, and the limits of that province are extended so as to comprehend those vast regions, that lie adjoining to the northerly and westerly boundaries of these colonies.

The authors of this arbitrary arrangement flatter themselves, that the inhabitants deprived of liberty, and artfully provoked against those of another religion, will be proper instruments for assisting in the oppression of such, as differ from them in modes of government and faith.

From the detail of facts herein before recited, as well as from authentic intelligence received, it is clear beyond a doubt, that a resolution is formed and now carrying into execution, to extinguish the freedom of these colonies, by subjecting them to a despotic government.

At this unhappy period, we have been authorized and directed to meet and consult together for the welfare of our common country. We accepted the important trust with diffidence, but have endeavoured to discharge it with integrity. Though the state of these colonies would certainly justify other measures than we have advised, yet weighty reasons determined us to prefer those which we have adopted. In the first place, it appeared to

us a conduct becoming the character, these colonies have ever sustained, to perform, even in the midst of the unnatural distresses and imminent dangers that surround them, every act of loyalty, and therefore, we were induced once more to offer to his majesty, the petitions of his faithful and oppressed subjects in America. Secondly, regarding with the tender affection, which we knew to be so universal among our countrymen, the people of the kingdom, from which we derive our origin, we could not forbear to regulate our steps by an expectation of receiving full conviction, that the colonists are equally dear to them. Between these provinces and that body subsists the social band, which we ardently wish may never be dissolved, and which cannot be dissolved, until their minds shall become indisputably hostile, or their inattention shall permit those who are thus hostile to persist in prosecuting with the powers of the realm, the destructive measures already operating against the colonists, and in either case, shall reduce the latter to such a situation, that they shall be compelled to renounce every regard, but that of self-preservation. Notwithstanding the violence with which affairs have been impelled, they have not yet reached that fatal point.—We do not incline to accelerate their motion, already alarmingly rapid; we have chosen a method of opposition, that does not preclude a hearty reconciliation with our fellow citizens, on the other side of the Atlantic. We deeply deplore the urgent necessity, that presses us to an immediate interruption of commerce, that may prove injurious to them. We trust they will acquit us of any unkind intentions towards them, by reflecting, that we are driven by the hands of violence, into unexperienced and unexpected public convulsions, and that we are contending for freedom, so often contended for by our ancestors.

The people of England will soon have an opportunity of declaring their sentiments concerning our cause. In their piety, generosity, and good sense, we repose high confidence; and cannot, upon a review of past events,

be persuaded, that they, the defenders of true religion, and the asserters of the rights of mankind, will take part against their affectionate protestant brethren in the colonies, in favour of our open, and their own secret enemies, whose intrigues, for several years past, have been wholly exercised in sapping the foundations of civil and religious liberty.

Another reason that engaged us to prefer the commercial mode of opposition, arose from an assurance, that the mode will prove efficacious, if it be persisted in with fidelity and virtue; and that your conduct will be influenced by these laudable principles, cannot be questioned. Your own salvation, and that of your posterity, now depends upon yourselves. You have already shown that you entertain a proper sense of the blessings you are striving to retain. Against the temporary inconveniences you may suffer from a stoppage of trade, you will weigh in the opposite balance, the endless miseries you and your descendants must endure, from an established arbitrary power. You will not forget the honour of your country, that must, from your behaviour, take its title in the estimation of the world, to glory, or to shame; and you will, with the deepest attention, reflect, that if the peaceable mode of opposition recommended by us, be broken and rendered ineffectual, as your cruel and haughty ministerial enemies, from a contemptuous opinion of your firmness, insolently predict will be the case, you must inevitably be reduced to choose, either a more dangerous contest, or a final, ruinous, and infamous submission.

Motives thus cogent, arising from the emergency of your unhappy coalition, must excite your utmost diligence and zeal, to give all possible strength and energy to the pacific measures calculated for your relief: but we think ourselves bound in duty to observe to you, that the schemes agitated against these colonies, have been so conducted, as to render it prudent, that you should extend your views to mournful events, and be in all respects prepared for every contingency. Above all

things, we earnestly entreat you, with devotion of spirit, penitence of heart, and amendment of life, to humble yourselves, and implore the favour of Almighty God: and we fervently beseech his Divine Goodness, to take you into his gracious protection."

On the 21st instant, it was *Resolved* "That an address be prepared to the people of Quebec, and letters to the colonies of St. John's, Nova Scotia, Georgia, East and West Florida, who have not sent deputies to represent them in this Congress."* It was ordered, "that Mr. Cushing, Mr. Lee, and Mr. Dickinson, be a committee to prepare the above address and letters."

On the twenty-fifth of October, it was resolved, "that the address to the king, (which had been reported and adopted,) be enclosed in a letter to the several colony agents, in order that the same may be, by them, presented to his majesty; and that the agents be requested to call in the aid of such noblemen and gentlemen as are esteemed firm friends to American liberty. Ordered that Mr. Lee, and Mr. Jay, prepare a letter to the agents."† Mr. Lee wrote the letter, which was reported the following day and adopted.‡

A short account has been given of the proceedings of that truly illustrious body; the delegates of the twelve colonies, assembled in general Congress, in Philadelphia, in 1774. It was due to the memory of Mr. Lee, to present to his countrymen, a sketch of the part he acted in that Assembly. His abilities, industry and patriotism, were no less beneficial to his country, than they were honourable to himself. He merited and obtained the thanks, not only of his native state, but of all the friends of America.

* See Journ. p. 56. † Ibid. p. 57.
‡ See Mr. Jay's letter, Ap. No. iii.

CHAPTER VI.

The moderation and firmness of the Congress, and the ability of their addresses, made great impression upon the public mind in England. For a time, even the ministry paused! They were universally read and admired. They exhibited a knowledge of the constitution, and a strength of argument, which the best informed men believed could not have been found in the colonies. The effect of these on the English nation, and the opinion of Lord Chatham respecting them, are stated in the following letter, written by Mr. Arthur Lee, one of the Colony Agents, to his brother.

"LONDON, December 22d, 1774.

My dear Brother—The proceedings of the Congress meet with universal approbation here, and have operated like an electrical shock, upon the ministry and their dependants. They begin to reprobate their own measures, and each to exonerate himself from the charge of having advised them. The King consented to receive the petition of the Congress, and Lord Dartmouth told us, it was found to be decent and respectful. I expect we shall receive his majesty's answer time enough to send with this.

The merchants have advertised for a meeting, and every thing seems to promise a speedy accommodation. The terms of that must depend on you. Your demands must be made with great moderation, and should not, nay, I think, cannot, be receded from one iota. Depend upon it, the same firmness and unanimity which have compelled a conciliatory disposition, will enforce a full redress. Be therefore firm, and fear not. The excess

of my anxiety for our ultimate success and the termination of these unhappy disturbances, makes me sometimes apprehensive, that these specious appearances will make you remiss in your preparations for a different conduct; that you will forget that he who sheathes the sword before the peace is concluded, exposes himself to a shameful defeat. But, trusting to your wisdom, I hope you will treat them as appearances only, which firmness, vigilance, and unanimity alone, on your part, can realize.

December 24th, Lord Dartmouth, this day informed us that his majesty received your petition very graciously, and for its importance, would lay it before his houses of Parliament, when they met.

I communicate to you the following copy of a letter from Lord Chatham, because I think it must give you infinite satisfaction. At the same time I must entreat you, not to let it get into the press, as it would be a breach of honour in me. "I have not words to express the infinite satisfaction which I feel since Congress has conducted this most arduous and delicate business, with such manly wisdom and calm resolution, as do the highest honour to their deliberations. Very few are the things contained in their resolves, that I could wish to be otherwise. Upon the whole, I think it must be evident to every unprejudiced man in England, who feels for the rights of mankind, that America, under all her oppressions and provocations, holds out to us the most fair and just opening for restoring harmony and affectionate intercourse as heretofore. I hope that the minds of men, are more than beginning to open on this great subject so little understood, and that it will be found impossible for freemen in England, to see three millions of Englishmen, slaves in America."

Such praise from the *character* of the age, ought to inspire you with confidence, if any thing can add to the conscious dignity of freemen, and make you resolve to maintain your demands with immovable firmness.

December 26th, I was yesterday in the country with Lord Chatham, to show him the petition of the Con-

gress. He approves of it exceedingly. His words were "the whole of your countrymen's conduct has manifested such wisdom, moderation and manliness of character, as would have done honour to Greece and Rome in their best days." *Laudari a laudato viro*, should make us cautious that we support the character, by a manly perseverance, in those measures which have secured it. His opinion is, that a solemn settlement of the question by a renunciation of the right to tax on one part, and an acknowledgment of supremacy on the other, might be made. My object is to unite the heads of opposition upon one uniform large ground, which, with the present popularity of our cause, will, I think, enforce a complete abolition of these pernicious measures.

I have this moment learnt that the resolution of the court, is, to repeal all the acts, except the declaratory and admiralty act; that Lords North and Dartmouth are to give place to Lords Gower and Hillsborough, who are to commence their administration with these conciliatory measures. The inconsistency of this plan is no objection to the probability of it, for these men have long been disciplined to turn, and turn, and turn again. But you may learn from it, that there is little cordiality in the relief to be given, and that we are to hold a jealous eye over the measures of men, whose minds are actuated against us by the bitterest rancour and revenge. You will consider this intelligence as of doubtful nature, and let no hasty gleam of hope go forth, which may tend to make men remiss in their exertions, or relax in the terms they demand.

Farewell—your affectionate brother,

ARTHUR LEE.

To Col. RICHARD HENRY LEE.

The delegates from the several counties of Virginia, met again in convention, on the twentieth March, 1775, in the town of Richmond. Mr. Lee was returned as a delegate from the county of Westmoreland. The first

proceeding of the convention was a resolution expressing the thanks of the colony to the continental Congress, for the wisdom of their measures. It was also resolved, "That the warmest thanks of this convention, and of all the inhabitants of this colony, are due to the worthy delegates, who were deputed by a former convention to represent this colony in the general Congress, for their cheerful undertaking, and faithful discharge, of the very important trust reposed in them."

Mr. Lee had, at this time, from his knowledge of the British ministry, and from a continued and profound contemplation of the times, relinquished all expectation that any satisfactory address would be granted. His private opinions were, that the time was approaching, and indeed had even now arrived, when any connexion with Great Britain, which *implied* political dependence, must cease; but prudence taught him to express them with caution. He perceived this, not more from the spirit of the ministry, and the tendency of their measures, than from the growth of the commerce and population of the colonies. He had ceased to think a connexion desirable, and seems to have anticipated the rapid and splendid progress of America, in power and in wisdom, when under the fostering influence of republican government. To him, a return, even to the "halcyon days" of colonial dependence, seemed more insupportable than a struggle through war, when there was a probability that it would terminate in the independence of his country.

To Mr. Lee, the passive temper and policy, beyond which too many seemed not yet to have carried their thoughts, appeared feeble and impolitic. Happily, Providence had raised up a cotemporary patriot of congenial spirit, and of genius equal to the exigency of the times, in Patrick Henry. Between these two men, as it has been already stated, there existed the warmest friendship, and unity of principle, and an exact coincidence of views. Like Valerius Poplicola of ancient Rome, each of them seemed fitted by Heaven, for a period at

which an oppressed people were to break the bands of despotic rule, and become free.

These gentlemen consulted with each other and determined to offer, in the convention, a resolution similar to that offered by Mr. Lee in Congress, in October '74. This was to arm the militia, and put the colony in a state of defence. Mr. Lee had moved in Congress, that the militia of the colonies should be armed. The reader has seen the modified shape in which that body adopted his resolution. It was agreed that Mr. Henry should move the resolution and that Mr. Lee should aid him in supporting it. They anticipated and encountered violent opposition from the older members of the house. They had to rouse their indignation at the wrongs already endured by their countrymen, particularly of Massachusetts Bay, to awaken fears of their contemplated enslavement by Great Britain, and, above all, to convince them, that in the event of a contest, a termination favourable to us was not improbable.

They were both eminently qualified for this task.—The bold and vehement eloquence of Henry, excited to the highest degree the passions of his hearers; the fervid, the beauteous and impressive declamation of Lee, presented liberty before their eyes, decorated in the most lovely and ravishing charms; while his political wisdom and information showed them that the rich, the exalted boon was not unattainable. Men will act when the same process which affects their passions, enlightens and subdues their understandings. Hence, on this occasion the resolution was carried, though opposed by members whose judgments ought to have been matured by age, and whose influence was the effect and the reward of long public service. The author is indebted to the biographer of P. Henry, for the following interesting account of the part that Mr. Lee took in aid of the resolution, the adoption of which, had a very timely influence in emboldening the colonists to prepare for resistance. Chief Justice Marshall furnished the author of the "life of P. Henry, with a note in relation to the

debate on Mr. Henry's motion: "It is the substance, (says that author) of a statement made to the chief justice, (then an ardent youth, feeling an enthusiastic admiration of eloquence, and panting for war,) by his father, who was a member of the convention. Mr. Marshall (the father,) after describing Mr. Henry's speech, as being one of the most bold, vehement, and animated pieces of eloquence, that had ever been delivered; proceeded to state that he was followed by Mr. Richard Henry Lee, who took an interesting view of our real situation. He stated the force which Britain could probably bring against us, and reviewed our own resources and means of resistance. He stated the advantages and disadvantages of both parties, and drew from the statement, auspicious inferences; but he concluded by saying, "that admitting the probable calculations to be against us, we are assured in holy writ, that the race is not to the swift, nor the battle to the strong; and if the language of genius may be added to that of inspiration, I will say with our immortal bard.

> 'Thrice is he armed, who hath his quarrel just,
> And he but naked, tho' locked up in steel
> Whose conscience with injustice, is oppressed.'"

Mr. Henry and Mr. Lee were first named on the committee appointed to prepare a plan for arming the militia, and putting the colony in a state of defence.

Mr. Lee was again appointed by the convention, one of the deputies to the Congress, which was to meet at Philadelphia in May; and the convention having provided for the election of new members of its own body, he was returned from Westmoreland county.

The removal of all the arms and other military stores, from the magazine at Williamsburg, by order of Governor Dunmore, had occasioned great excitement, throughout the colony of Virginia. During this state of feeling, intelligence of the battles of Lexington and Concord arrived. These were occasioned by an attempt of General Gage to secure the military stores de-

posited at the latter place. A concerted design to disarm the colonies seemed evident, and the inhabitants were convinced that their subjugation was intended. The volunteer, or independent companies, in many parts of Virginia flew to arms. Those of the upper part of the Northern Neck of Virginia, actually commenced their march to Williamsburgh, and to the number of six or seven hundred men, arrived at Fredericksburgh on the same day with Mr. Lee, then on his journey to the continental Congress. A council of war was held, in which he was invited to preside.* But a letter having been received, stating that the governor had assured the citizens of Williamsburgh, that the powder, &c. should be restored, it was determined that the volunteers should return to their homes. Mr. Lee warmly approved of their activity and decision, and exhorted them, in animated terms, to continue to be ready to fight and fall in defence of their rights. They responded to his harangue, and gave each other a pledge to re-assemble, and "*by force of arms*, to defend the laws, the liberties, and rights of this, or any sister colony from unjust and wicked invasion."

The second continental Congress met in Philadelphia, on Wednesday, the 10th May, 1775. The aspect of affairs was more gloomy than when that venerable body had assembled in the precedent November. Among the first acts of this session, was the following resolution: "That as the present critical situation of these colonies renders it highly necessary, that ways and means should be devised for the speedy and secure conveyance of intelligence throughout this continent, a committee of six be appointed to consider the best means of establishing posts for this purpose." Mr. Lee was one of this committee.†

* See Life of Washington vol. 2. p. 194.

† See Jour. 109. The author mentions many committees on which Mr. Lee acted, to show that he was considered a man useful in "the dry details of business." His talents in this way have been undervalued; indeed, denied. See page 108 of this work.

On the second of June, a letter was laid before Congress, from the provincial convention of Massachusetts Bay, which stated the difficulties under which they laboured for want of a regular form of government, and requested Congress to favour them "with explicit advice, respecting the taking up and exercising the powers of civil government, &c." On the third instant, the foregoing letter was taken into consideration; and it was *Resolved*, "That a committee of five persons be chosen, to consider the same, and to report what in their opinion, is the best advice to give to that convention." One of the persons chosen, was Mr. Lee.*

On the same day four committees were chosen to draught papers. The committee whose business it was to draw up an address to the people of England, was composed of three members, viz. Messrs. Lee, R. R. Livingston, and Pendleton.† On the tenth instant, it was *Resolved*, "That it be recommended to the several conventions and committees of the colonies, to collect all the saltpetre, sulphur, and other munitions of war, and to encourage the manufacture of saltpetre and gunpowder." Five persons were chosen on the committee appointed, "to devise ways and means to introduce the manufacture of saltpetre, into these colonies;" one of whom was Mr. Lee.‡

On the fifteenth instant, it was *Resolved*, "That a general be appointed to command all the continental forces, to be raised for the defence of American liberty." George Washington was *unanimously* elected.§ On the sixteenth instant, a committee was appointed to draught a commission and instructions for the General. This committee consisted of Messrs. Lee, E. Rutledge, and J. Adams. On the following day the draughts of these papers were reported and adopted.‖ The original draught of the commission by which General Wash-

* Jour. p. 110. † Ib. p. 111. ‡ Ib. p. 116.

§ R. H. Lee therefore voted for him. In the life of Green, he is stated to have been unfriendly to General Washington.

‖ Jour. p. 121.

ington was constituted general and commander in chief of the American armies of the revolution, with an endorsement of his name on the back of it, was long in the possession of Mr. Lee's family. On the nineteenth instant, it was *Resolved*, "That Messrs. Lee, E. Rutledge, and J. Adams be a committee, to prepare a form of a commission, for the major and brigadier generals and other officers in the army."* On the twenty-first, General Washington addressed certain queries to Congress, which being read and debated, it was *Resolved*, That a committee of five be appointed to prepare proper answers." Of this committee Mr. Lee was one.† On the sixth of July, it was *Resolved*, "That a letter be prepared to the lord mayor, aldermen, and livery of London, expressing the thanks of this Congress, for their virtuous and spirited opposition to the oppressive and ruinous system of colony administration adopted by the British ministry." It was ordered that the committee appointed to prepare an address to the people of Great Britain, do prepare this."‡ On this day the address to the people of Great Britain was further considered and adopted.

It will be recollected, that *at this time blood had been shed.* The "immedicabile vulnus" (as Lord Chatham predicted it would be) had been inflicted! It had now become obvious, almost to every one, that war was inevitable, if freedom was worth the dangers through which alone it could be obtained and secured. There were few in America, and probably none in Congress, who made a question on this subject. One part of a great, and hitherto a prosperous empire, seemed now compelled to separate from the other! Even the *firmest* minds could scarcely bear the anticipations of the untried horrors of a civil war. Fellow-citizens, who a few years ago were united by similar interests; who boasted of the same freedom, and gloried in the same fame, were shortly to be arrayed in arms against each other. Fathers, sons,

* Jour. p. 122. † Ib. p. 124. ‡ Ib. p. 148.

and brothers, were to fall, perhaps, by each other's hands. The deep gloom, the awful anxieties of such a crisis, can be, in some degree, felt by the reader. The dignity of the reproaches of this last address to the people of Britain; its bold and exalted sentiments of reliance on heaven, and the sword drawn in self-defence; the eloquence of its expostulations; the deep pathos of its parting warnings, do justice to the occasion, and to those in whose name the draughtsman wrote! This address is, indeed, an imperishable monument to the genius and eloquence of Mr. Lee.*

" *The twelve united Colonies, by their Delegates in Congress, to the Inhabitants of Great Britain.*

FRIENDS, COUNTRYMEN, AND BRETHREN!

By these, and by every other appellation that may designate the ties which bind us to each other, we entreat your serious attention to this our second attempt to prevent their dissolution. Remembrance of former friendships, pride in the glorious achievements of our common ancestors, and affection for the heirs of their virtues, have hitherto preserved our mutual connexion ; but when that friendship is violated by the grossest injuries: when the pride of ancestry becomes our reproach, and we are no otherwise allied than as tyrants and slaves; when reduced to the melancholy alternative of renouncing your favour or our freedom; can we hesitate about the choice? Let the spirit of Britons determine.

* The family of Mr. Lee were long in possession of his original draught. The author learnt from a son of R. H. Lee, from whom he received the manuscripts of Mr. Lee, that this manuscript had been lost—that he had had it in his hands for many years—that it was in his father's hand-writing, with an endorsement, in the same writing, that it was the original manuscript draught drawn for the committee. This is the information the author has received. The son of Mr. Lee has written on the margin of the pages of the copy of the Journals from which he copies the address, " written by R. H. Lee—the original in the possession of F. L. Lee." It has been seen that Mr. Lee was the *chairman* of the committee.

In a former address we asserted our rights, and stated the injuries we had then received. We hoped that the mention of our wrongs would have roused that honest indignation which has slept too long for your honour, or the welfare of the empire. But we have not been permitted to entertain this pleasing expectation. Every day brought an accumulation of injuries, and the invention of the ministry has been constantly exercised in adding to the calamities of your American brethren.

After the most valuable right of legislation was infringed; when the powers assumed by your Parliament, in which we are not represented, and from our local and other circumstances cannot properly be represented, rendered our property precarious; after being denied that mode of trial to which we have long been indebted for the safety of our persons, and the preservation of our liberties; after being in many instances divested of those laws which were transmitted to us by our common ancestors, and subjected to an arbitrary code, compiled under the auspices of Roman tyrants; after those charters, which encouraged our predecessors to brave death and danger in every shape, on unknown seas, in deserts unexplored, amidst barbarous and inhospitable nations, were annulled; when, without the form of trial, without a public accusation, whole colonies were condemned, their trade destroyed, their inhabitants impoverished; when soldiers were encouraged to embrue their hands in the blood of Americans, by offers of impunity; when new modes of trial were instituted for the ruin of the accused, where the charge carried with it the horrors of conviction; when a despotic government was established in a neighbouring province, and its limits extended to every of our frontiers; we little imagined that any thing could be added to this black catalogue of unprovoked injuries: but we have unhappily been deceived, and the late measures of the British ministry fully convince us, that their object is the reduction of these colonies to slavery and ruin.

To confirm this assertion, let us recall your attention

to the affairs of America, since our last address. Let us combat the calumnies of our enemies; and let us warn you of the dangers that threaten you in our destruction. Many of your fellow subjects, whose situation deprived them of other support, drew their maintenance from the sea; but the deprivation of our liberty being insufficient to satisfy the resentment of our enemies, the horrors of famine were superadded, and a British Parliament, who, in better times, were the protectors of innocence, and the patrons of humanity, have, without distinction of age or sex, robbed thousands of the food which they were accustomed to draw from that inexhaustible source, placed in their neighbourhood by the benevolent Creator.

Another act of your legislature shuts our ports, and prohibits our trade with any but those states from whom the great law of self-preservation renders it absolutely necessary we should at present withhold our commerce. But this act (whatever may have been its design) we consider rather as injurious to your opulence than our interest. All our commerce terminates with you; and the wealth we procure from other nations, is soon exchanged for your superfluities. Our remittances must then cease with our trade; and our refinements with our affluence. We trust, however, that laws which deprive us of every blessing but a soil that teems with the necessaries of life, and that liberty which renders the enjoyment of them secure, will not relax our vigour in their defence.

We might here observe on the cruelty and inconsistency of those, who, while they publicly brand us with reproachful and unworthy epithets, endeavour to deprive us of the means of defence, by their interposition with foreign powers, and to deliver us to the lawless ravages of a merciless soldiery. But happily we are not without resoures; and though the timid and humiliating applications of a British ministry should prevail with foreign nations, yet industry, prompted by necessity, will not leave us without the necessary supplies.

We could wish to go no further, and, not to wound the ear of humanity, leave untold those rigorous acts of oppression, which are daily exercised in the town of Boston, did we not hope, that by disclaiming their deeds, and punishing the perpetrators, you would shortly vindicate the honour of the British name, and re-establish the violated laws of justice.

That once populous, flourishing, and commercial town, is now garrisoned by an army, sent not to protect, but to enslave its inhabitants. The civil government is overturned, and a military despotism erected upon its ruins. Without law, without right, powers are assumed unknown to the constitution. Private property is unjustly invaded. The inhabitants, daily subjected to the licentiousness of the soldiery, are forbid to remove, in defiance of their natural rights, in violation of the most solemn compacts. Or, if after long and wearisome solicitation, a pass is procured, their effects are detained, and even those who are most favoured, have no alternative but poverty or slavery. The distress of many thousand people, wantonly deprived of the necessaries of life, is a subject, on which we would not wish to enlarge.

Yet we cannot but observe, that a British fleet (unjustified even by acts of your legislature) are daily employed in ruining our commerce, seizing our ships, and depriving whole communities of their daily bread. Nor will a regard for your honour permit us to be silent, while British troops sully your glory, by actions, which the most inveterate enmity will not palliate among civilized nations, the wanton and unnecessary destruction of Charlestown, a large, ancient, and once populous town, just before deserted by its inhabitants, who had fled to avoid the fury of your soldiery.

If still you retain those sentiments of compassion by which Britons have ever been distinguished; if the humanity, which tempered the valour of our common ancestors, has not degenerated into cruelty, you will lament the miseries of their descendants.

To what are we to attribute this treatment? If to any

secret principle of the constitution, let it be mentioned; let us learn, that the government we have long revered is not without its defects, and that while it gives freedom to a part, it necessarily enslaves the remainder of the empire. If such a principle exists, why for ages has it ceased to operate? Why at this time is it called into action? Can no reason be assigned for this conduct? Or must it be resolved into the wanton exercise of arbitrary power? And shall the descendants of Britons tamely submit to this—No Sirs! We never will, while we revere the memory of our gallant and virtuous ancestors, we never can surrender those glorious privileges, for which they fought, bled, and conquered. Admit that your fleets could destroy our towns, and ravage our sea-coasts; these are inconsiderable objects, things of no moment to men whose bosoms glow with the ardor of liberty. We can retire beyond the reach of your navy, and, without any sensible diminution of the necessaries of life, enjoy a luxury, which from that period you will want; the luxury of being free.

We know the force of your arms, and was it called forth in the cause of justice and your country, we might dread the exertion; but will Britons fight under the banners of tyranny? Will they counteract the labours, and disgrace the victories of their ancestors? Will they forge chains for their posterity? If they descend to this unworthy task, will their swords retain their edge, their arms their accustomed vigour? Britons can never become the instruments of oppression, till they lose the spirit of freedom, by which alone they are invincible.

Our enemies charge us with sedition. In what does it consist? In our refusal to submit to unwarrantable acts of injustice and cruelty? If so, show us a period in your history, in which you have not been equally seditious.

We are accused of aiming at independence; but how is this accusation supported? By the allegations of your ministers, not by our actions. Abused, insulted, and contemned, what steps have we pursued to obtain re-

dress? We have carried our dutiful petitions to the throne. We have applied to your justice for relief. We have retrenched our luxury, and withheld our trade.

The advantages of our commerce were designed as a compensation for your protection: When you ceased to protect, for what were we to compensate?

What has been the success of our endeavours? The clemency of our sovereign is unhappily diverted; our petitions are treated with indignity; our prayers answered by insults. Our application to you remains unnoticed, and leaves us the melancholy apprehension of your wanting either the will, or the power, to assist us.

Even under these circumstances, what measures have we taken that betray a desire of independence? Have we called in the aid of those foreign powers, who are the rivals of your grandeur? When your troops were few and defenceless, did we take advantage of their distress and expel them our towns? Or have we permitted them to fortify, to receive new aid, and to acquire additional strength?

Let not your enemies and ours persuade you, that in this we were influenced by fear, or any other unworthy motive. The lives of Britons are still dear to us. They are the children of our parents, and an uninterrupted intercourse of mutual benefits had knit the bonds of friendship. When hostilities were commenced, when on a late occasion we were wantonly attacked by your troops, though we repelled their assaults and returned their blows, yet we lamented the wounds they obliged us to give; nor have we yet learned to rejoice at a victory over Englishmen.

As we wish not to colour our actions, or disguise our thoughts, we shall, in the simple language of truth, avow the measures we have pursued, the motives upon which we have acted, and our future designs.

When our late petition to the throne produced no other effect than fresh injuries, and votes of your legislature, calculated to justify every severity; when your fleets and your armies were prepared to wrest from us

our property, to rob us of our liberties or our lives; when the hostile attempts of General Gage evinced his designs, we levied armies for our security and defence. When the powers vested in the governor of Canada gave us reason to apprehend danger from that quarter; and we had frequent intimations, that a cruel and savage enemy was to be let loose upon the defenceless inhabitants of our frontiers; we took such measures as prudence dictated, as necessity will justify. We possessed ourselves of Crown-Point and Ticonderoga. Yet give us leave most solemnly to assure you, that we have not yet lost sight of the object we have ever had in view, a reconciliation with you on constitutional principles, and a restoration of that friendly intercourse, which, to the advantage of both, we till lately maintained.

The inhabitants of this country apply themselves chiefly to agriculture and commerce. As their fashions and manners are similar to yours, your markets must afford them the conveniencies and luxuries, for which they exchange the produce of their labours. The wealth of this extended continent centres with you; and our trade is so regulated as to be subservient only to your interest. You are too reasonable to expect, that by taxes (in addition to this) we should contribute to your expense; to believe after diverting the fountain, that the streams can flow with unabated force.

It has been said, that we refuse to submit to the restrictions on our commerce. From whence is this inference drawn? Not from our words, we having repeatedly declared the contrary; and we again profess our submission to the several acts of trade and navigation passed before the year 1763, trusting nevertheless in the equity and justice of Parliament, that such of them as, upon cool and impartial consideration, shall appear to have imposed unnecessary or grievous restrictions, will, at some happier period, be repealed or altered. And we cheerfully consent to the operation of such acts of the British Parliament as shall be restrained to the regulation of our external commerce, for the purpose of

securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members; excluding every idea of taxation internal or external, for raising a revenue on the subjects in America without their consent.

It is alleged that we contribute nothing to the common defence. To this we answer, that the advantages which Great Britain receives from the monopoly of our trade, far exceed our proportion of the expense necessary for that purpose. But should these advantages be inadequate thereto, let the restrictions on our trade be removed, and we will cheerfully contribute such proportion when constitutionally required.

It is a fundamental principle of the British constitution, that every man should have at least a representative share in the formation of those laws, by which he is bound. Were it otherwise, the regulation of our internal police by a British Parliament, who are, and ever will be, unacquainted with our local circumstances, must be always inconvenient, and frequently oppressive, working our wrong, without yielding any possible advantage to you.

A plan of accommodation (as it has been absurdly called) has been proposed by your ministers to our respective Assemblies. Were this proposal free from every other objection, but that which arises from the time of the offer, it would not be unexceptionable. Can men deliberate with the bayonet at their breast? Can they treat with freedom, while their towns are sacked; when daily instances of injustice and oppression, disturb the slower operations of reason?

If this proposal is really such as you would offer, and we accept, why was it delayed till the nation was put to useless expense, and we were reduced to our present melancholy situation? If it holds forth nothing, why was it proposed? Unless indeed to deceive you into a belief, that we were unwilling to listen to any terms of accommodation! But what is submitted to our consideration? We contend for the disposal of our property. We are told that our demand is unreasonable, that our

Assemblies may indeed collect our money, but that they must at the same time offer, not what your exigencies or ours may require, but so much as shall be deemed sufficient to satisfy the desires of a minister, and enable him to provide for favourites and dependants. A recurrence to your own treasury will convince you how little of the money already extorted from us, has been applied to the relief of your burthens. To suppose that we would thus grasp the shadow, and give up the substance, is adding insult to injuries.

We have nevertheless again presented an humble and dutiful petition to our sovereign; and to remove every imputation of obstinacy, have requested his majesty to direct some mode, by which the united applications of his faithful colonists may be improved into a happy and permanent reconciliation. We are willing to treat on such terms as can alone render an accommodation lasting, and we flatter ourselves that our pacific endeavours will be attended with a removal of ministerial troops, and a repeal of those laws, of the operation of which we complain, on the one part, and a disbanding of our army, and a dissolution of our commercial associations, on the other.

Yet conclude not from this that we propose to surrender our property into the hands of your ministry, or vest your Parliament with a power which may terminate in our destruction. The great bulwarks of our constitution we have desired to maintain by every temperate, by every peaceable means; but your ministers (equal foes to British and American freedom) have added to their former oppressions an attempt to reduce us by the sword to a base and abject submission. On the sword, therefore, we are compelled to rely for protection. Should victory declare in your favour, yet men trained to arms from their infancy, and animated by the love of liberty, will afford neither a cheap nor easy conquest. Of this at least we are assured, that our struggle will be glorious, our success certain; since even in death we shall find that freedom which in life you forbid us to enjoy.

Let us now ask what advantages are to attend our reduction? The trade of a ruined and desolate country is always inconsiderable, its revenue trifling; the expense of subjecting and retaining it in subjection certain and inevitable. What then remains but the gratification of an ill-judged pride, or the hope of rendering us subservient to designs on your liberty.

Soldiers who have sheathed their swords in the bowels of their American brethren, will not draw them with more reluctance against you. When too late you may lament the loss of that freedom, which we exhort you, while still in your power, to preserve.

On the other hand, should you prove unsuccessful; should that connexion, which we most ardently wish to maintain, be dissolved; should your ministers exhaust your treasures, and waste the blood of your countrymen, in vain attempts on our liberty; do they not deliver you, weak and defenceless, to your natural enemies.

Since then your liberty must be the price of your victories; your ruin, of your defeat:—What blind fatality can urge you to a pursuit destructive of all that Britons hold dear?

If you have no regard to the connexion that has for ages subsisted between us; if you have forgot the wounds we have received fighting by your side for the extention of the empire; if our commerce is not an object below your consideration; if justice and humanity have lost their influence on your hearts; still motives are not wanting to excite your indignation at the measures now pursued: Your wealth, your honour, your liberty are at stake.

Notwithstanding the distress to which we are reduced, we sometimes forget our own afflictions, to anticipate and sympathise in yours. We grieve that rash and inconsiderate councils should precipitate the destruction of an empire, which has been the envy and admiration of ages, and call God to witness! that we would part with our property, endanger our lives, and sacrifice every thing but liberty, to redeem you from ruin.

A cloud hangs over your heads and ours; e'er this reaches you, it may probably burst upon us; let us then (before the remembrance of former kindness is obliterated) once more repeat those appellations which are ever grateful in our ears; let us entreat heaven to avert our ruin, and the destruction that threatens our friends, brethren, and countrymen, on the other side of the Atlantic."

The foregoing address was ordered to be printed, and transmitted by Mr. Penn to England. The letter to the lord mayor, aldermen, and livery of London, was read and agreed to.

The remonstrance of the Lord Mayor, &c., for which the thanks of the Congress was thus given, attracted great attention at the time, for the boldness with which it espoused the doctrines contended for by the colonists, and was much admired for the elegance and the vigor of its style. It was written by Arthur Lee, who had now become a distinguished advocate in London, at the request of the common hall. The letter of thanks to that body, was written by R. H. Lee. Thus were the two brothers, on different sides of the Atlantic, earnestly serving their common country. On the return of Mr. Arthur Lee to America, and after the toils and dangers of the revolution had ended in peace and security, the two brothers informed each other that they had been the authors of these papers, and each produced the original in his own hand-writing. From these manuscripts, the author copies the following elegant letter to the lord mayor.

"My Lord—Permit the delegates of the people of twelve ancient colonies to pay your lordship, and the very respectable body of which you are head, a just tribute of gratitude and thanks, for the virtuous and unsolicited resentment you have shown to the violation of the rights of a free people. The city of London, my lord, having, in all ages, approved itself the patron of liberty, and the

support of just government against lawless tyranny and oppression, cannot fail to make us sensible of the powerful aid our cause must receive from such advocates; a cause, my lord, worthy the support of the first city in the world, as it involves the fate of a great continent, and bids fair to shake the foundation of a flourishing, and, until lately, a happy empire.

North America, my lord, wishes ardently for a lasting connexion with Great Britain, upon terms of just and equal liberty; less than which generous minds will not offer, nor brave and free ones be willing to receive.

A cruel war has, at length, been opened against us; and whilst we prepare to defend ourselves like the descendants of Britons, we still hope that the mediation of wise and good citizens will prevail over despotism, and restore harmony and peace, on permanent principles, to an oppressed and divided empire.

We have the honour to be, my lord, with great esteem, your lordship's faithful friends and fellow-citizens."

The account of the services of Mr. Lee, in the session of the Congress of '75, is here interrupted for a moment. The reader has been told, that Mr. Lee was not only doubtful of an accommodation between the mother country and the colonies, but that he began to doubt whether there were any real benefits in a continuance of a political connexion between them. In the two public papers just read, a warm desire for a continuance of the connexion is expressed. It will be remembered, that as a member of a committee, Mr. Lee was not at liberty to express his private opinions. Few men in the colonies, even at this time, had thought of independence. The dread of the power of England uniting with the affection even yet cherished for the parent state, operated to repress that "noble aspiration after good," which expanded the bosoms of Mr. Lee, S. Adams, Henry, and a few others. The sentiments expressed in the publications of Congress, at this time, were those of the great majority of the people and of the Congress. To

show this, a letter will be presented to the reader, from "an unknown friend," which had been conveyed to Mr. Lee, in such a manner, that he never could ascertain either the writer or the "sage," whose councils are thought so worthy of consideration. Mr. Lee's sentiments seemed to have been known to the writer, or to have been suspected by him; as he treats the idea of independence as utterly wild, while the mother country "retained so much power on the ocean." The communication is really a curious one, and throws light on the times in which it was written.

"EASTON, JUNE 1st, 1775.

HONOURED SIR—An ancient, and accounted *a long headed man*, in these parts, has dropped some hints devising a scheme of reconciliation between the mother country and the colonies, which I think worthy of consideration: and I am persuaded your zeal for a reconciliation is such, that you will lend an ear to healing propositions, let them come from what quarter they may; otherwise, you would be unworthy of the eminence of character you possess, for republican candour of sentiment. He observed, 'suppose the Congress were to offer as much to the Crown, as all the duties amount to by a proper estimate;' meaning such duties as we agree they have a right to lay: as regulations of trade, and that exempt from all impositions by the Crown, called *running*—which might easily be assessed on each province, by having recourse to their books of entry, and making, at the same time, an allowance for what are run, which is thought to be as much again: and besides this, to offer a number of forces well disciplined, in case of requisition, as was the case in the two last wars; so many hundred or thousand from each province, according to its importance, and ship, pay, and victual and clothe the same; or some, or all, as Congress judges best; and the same to continue for a certain season, or during an expedition, as was the case in the attack in the last war, on Carthagena and Havana. At least the most strenuous endea-

vours ought to be made, in some way or other, to effect an accommodation, considering what lamentable confusion and distress must attend the quarrel, if it continues any length of time; *and the idea of aiming at Independence* at present, affords the most frightful of all prospects, whilst the mother country has such power on the ocean.

Your unknown friend and humble servant,

PHILOPATRIA.

P. S. I had like to have forgotten the venerable sage would have insisted that all the obnoxious acts of Parliament should be repealed at the same time that the above offers should be made; the one to be made the inseparable condition of repealing the other; and in the space of ten, fifteen, or twenty years, an additional quantity of troops and money might be offered, in case of pressing requisitions from home, according as the colonies flourish, and trade increases; but still the mode of raising, as well as the quantity, to be wholly left in the power of the colonial assemblies. And to confess the truth, the within letter, on account of your reputed eloquence in the Congress, I direct to you, as it is the more likely you will thereby have more influence on that august assembly; though you are under no obligation, but may still pursue your own opinions."*

The petition to the King, adopted in this session, expressed as much loyalty as that adopted in the preceding session. The reader cannot but be entertained by a letter written to Mr. Lee, by General Charles Lee, on the style of this second petition. It exhibits the boldness and impetuosity of the writer's character. The loyalty and submissive spirit of the petition might have had the effect General Lee feared; for nothing but the idea that the colonies were afraid to come to an open rupture, could so have blinded the ministry.

* Taken from the original manuscript letter.

"CAMP ON WINTER HILL,
SEPTEMBER 2, 1775.

MY DEAR FRIEND—We have just heard of the strange manœuvre of sending back the clothing which was taken from Philadelphia. I have only time to express my astonishment and apprehension that this conduct will betray some degree of fear, than which nothing can be more pernicious both here, and on the other side of the water. Upon this principle, I must confess I was shocked at your last address to the king—I am confident it will do mischief—It will bring on a negotiation, which, perhaps will be fatal. That callous tyrant must have his fears alone worked upon. If I did address him, I would do it in the following style. 'Sir, if you do not withdraw your troops upon the receipt of this, we will absolve ourselves from all allegiance to you, and we will divorce ourselves forever from Britain, whose abject patience in suffering such tyranny as that she has experienced through your whole reign, renders her totally unworthy to be the presiding power of a great empire.'

This is the style you should adopt, it is the only style which can possibly succeed. I rejoice that Congress has made the acquisition of your brother. My love and respects to him. Have you received my long scroll? For God's sake, let me hear from you soon. God bless you my dear friend, and send the sommon cause, all the success it merits from a righteous Being. Farewell.

Yours most truly and sincerely,

CHARLES LEE."*

On the 12th instant, it was resolved, "that a committee of five be appointed to devise ways and means to protect the trade of these colonies."† Mr. Lee was a member of this committee. He was also a member of a committee with his much esteemed friends S. Adams,

* From the manuscript. † See Jour. p. 163.

and J. Rutledge, whose business was to revise the Journals, and prepare them for the press.*

During the short interval between the adjournment of Congress, which took place on the first day of August, and the meeting of that body in September, of the same year, Mr. Lee was in Virginia, and was actively engaged in all the important political transactions of that time. He was still a member of the general Assembly of the colony, and also, a delegate to the convention. He attended at the meeting of the first body, which was called together by the proclamation of Lord Dunmore, to consider Lord North's "conciliatory proposition," and during this summer, served in the convention which met in July. The business which employed this session of the convention, was of great importance to the colony. The regal government was nearly dissolved, and a state of anarchy and war was fast hastening on. The external and internal relations of the colony, were involved in danger, difficulty, and darkness. It may here be mentioned, that Mr. Lee was about this time chosen lieutenant of the county of Westmoreland; which rank, in imitation of the English lord lieutenants of the county, gave him the command in chief of all its militia. Hence, after this period, he is frequently styled in the Journals of the Congress, "Colonel Lee." The activity and efficiency with which he discharged the duties of this office, will be seen in another part of this Memoir.

On Wednesday, the 5th of September, 1775, the Congress met, a third time, in Philadelphia.

To this second Continental Congress, Mr. Lee had been appointed a deputy by the convention of Virginia, in the summer of '75. His labours and deliberations were daily becoming more vitally important to America. War had commenced its fearful career, and the cause of liberty was now committed to the valour and fortitude of the American people. The subjects which most engaged the present Congress, were the naval and military

* See Jour. p. 177.

defence of the union, and the pecuniary means of resistance. These subjects required great labour and wisdom, both in the house and in its committees. In the most important committees, Mr. Lee served with unremitted industry; and the discussions of the Congress daily added to his reputation as a statesman and an orator. On the twenty-fifth instant the Congress took into consideration several letters from General Washington, on the military concerns of the colonies. It was resolved "that a committe of three be appointed to prepare an answer." The ballots were taken, and Messrs. Linch, Lee, and Adams were chosen.*

On the twenty-ninth, a letter from General Washington, received by express, accompanied with several papers, was laid before Congress, and read. It was resolved, "that a committee of three members be appointed to repair immediately to the camp at Cambridge, to confer with General Washington, and with the governors, councils, &c. of Connecticut, Rhode Island, Massachusetts, and New Hampshire, touching the most effectual means of continuing, supporting, and regulating, a continental army. It was also resolved, that a committee of five members be appointed to draw up instructions for the said committee." The ballots were examined, and Mr. Lee was chosen one of it.†

On the eighteenth October, the delegates from New Hampshire, laid before Congress part of their instructions, requesting them to obtain advice from it, on the best method of administering justice, and regulating the civil police of that colony. It was resolved, "that a committee of five members be appointed to consider the instructions given to the delegates from New Hampshire, and report their opinion thereon." Mr. Lee was chosen one of this committee.‡ On the thirtieth, four members of whom Mr. Lee was one, were chosen "to be added," to a former committee of three, and these seven, to be a committee to carry into execution, as well the resolu-

* See Journal, p. 209. † Ibid. 210. ‡ Ibid. 225.

tions of the thirteenth instant, as those of this day, for fitting out armed vessels."*

The campaign to the north, daily became more active, and the conferences between Congress and their commanders became, therefore, more frequent. General Schuyler, at this time, commanded a separate division of the army. On the second of November it was resolved, "that a committee of three be appointed, to proceed to the north, and confer with General Schuyler; and that they pursue such instructions as may be given them in charge by Congress; and that a committee of five be appointed, to prepare instructions for the said committee." Mr. Lee was chosen one of the latter committee.†

About this time several ministerial proclamations were published, and widely distributed through the colonies. They denounced Congress and all the conventions, committees of correspondence, &c. of the colonies, as treasonable meetings; and threatened the utmost vengeance of civil and military law, against all who should aid in carrying into execution any of their measures. As these proclamations had considerable effect, in many parts of the country, Congress determined to notice them, and accordingly, on the thirteenth of November, it was resolved "that a committee be appointed, to prepare an answer to sundry illegal ministerial proclamations, which have lately appeared in America." Mr. Lee was chosen chairman of this committee.‡ Congress having received information that certain frauds were attempted to be practised in the execution of continental contracts, it appointed a committee, on the twenty-third instant, "to inquire into the matter." On this committee Mr. Lee was chosen.§

On the eleventh of December, it was *Resolved*, "That a committee be appointed to devise ways and means of furnishing the colonies with a naval armament, and that it consist of a member from each colony." Mr. Lee

* Journal, p. 227. † Ibid. p. 230. ‡ Ibid. p. 248.
§ Ibid. p. 256.

was chosen from the deputation of Virginia.* The committee reported on the thirteenth instant. This report having given birth to the American navy, would be interesting to the reader. It may be seen in page 292 of the Journals, volume I. On the fourteenth, it was *Resolved*, "That a committee consisting of a member from each colony, be appointed to carry into effect the said report." The ballots being counted, Mr. Lee was chosen from the Virginia delegation.† On the sixteenth, Mr. Lee was chosen on two committees. The duty of one was to confer with Major Preston, and fix upon an agent to negotiate bills, and supply the prisoners taken at St. Johns; the duty of the other, was to consider what allowance ought to be made for officers, who are prisoners of war. The appointment of Mr. Lee, on committees of this nature, is mentioned to show in what estimation his talents were held, "in the severer test of intellectual excellence, the dry details of business."‡ The choice being by ballot, shows the sense entertained of him as a man of business, by the body of which he was a member.

The Congress continued its session without adjournment, into the year 1776.§ This year was to be the period from which the Independence of the United States should be dated. The war was increasing in violence and widely spreading its scenes of bloodshed. The business of Congress became more laborious, continued and important. The journals of its proceedings bear ample testimony to the labours and services of Mr. Lee. Among the committees appointed upon subjects of the first importance, and of difficult, practical business; the reader will perceive by a reference to the journals,

* See Jour. p. 289. † Ib. p. 292.

‡ Life of P. Henry, p. 108.

§ See Jour. vol. ii. p. 4. From this period, committees of minor importance though embracing subjects of "dry details of business," will not be mentioned.

that he served upon almost every one which was charged with the military concerns of the nation.

On the thirtieth of January, 1776, it was *Resolved*, "That a committee of five be appointed to take into consideration, an application from the committee of safety of New York." Mr. Lee made one of this committee.* On the twenty-fifth of February, it was *Resolved*, "That a committee of five be appointed to contract for the making of muskets and bayonets for the use of the army, and to devise ways and means of encouraging the making of fire arms, in all parts of the continent. Of this committee Mr. Lee was one.† On the eleventh of March, he was chairman of a committee of three appointed to confer with General Lee, on the ways and means of defending New York.‡ On the nineteenth of March, Mr. Lee was chosen by ballot, one of the secret committee. On the succeeding day, he was chosen one of a committee of three to whom was referred the propriety of a war office.§

On the twenty-second of April, sundry letters were received and laid before Congress, viz. one from the Canada commissioners; one from General Washington; one from General Schuyler, enclosing several letters from Canada, &c. It was *Resolved*, "That these letters and papers be referred to a committee of five, of which Mr. Lee was chairman.‖ On the twenty-fifth instant, two other letters were received from General Washington, which were referred to a committee of three, of which Mr. Lee was chairman.¶ On the sixth of May, the Congress sat in committee of the whole, to consider the state of the united colonies, and reported to the House several resolutions, one of which was "That ten millions of dollars be raised for carrying on the war, for the current year." It was *Resolved*, "That a committee of seven be appointed to consider ways and means for raising the ten millions. Mr. Lee was chosen

* Jour. p. 45. † Ib. p. 74. ‡ Ib. p. 88. § Ib. p. 97.
‖ Ib. p. 143. ¶ Ib. p. 148.

one of this committee.* Several letters were received, one from General Washington, one from W. Palfrey, paymaster general, &c. which on the eighth instant were referred to a committee of five, of which, Mr. Lee was one.† On the tenth it was *Resolved*, "That it be recommended to the several Assemblies and Conventions of the colonies, in which governments suited to the exigency of affairs, have not been established, to adopt such forms of government, as shall best conduce to their safety and the welfare of America in general. A committee of three was appointed "to prepare a preamble to the foregoing resolution." The members chosen were Messrs. J. Adams, Rutledge, and Lee.‡

A letter dated 10th of May, from Major General Charles Lee, was received and referred to a committee of five. To this committee were also referred several papers accompanying the said letter. Mr. Lee was chairman of this committee.§ On the twenty-first, several papers were laid before Congress and read; viz:—three letters from Gen. Washington enclosing letters and papers of intelligence from England, and copies of treaties made by his Britannic majesty with the Duke of Brunswick for 4084 of his troops; with the Landgrave of Hesse Cassel for 12,000 of his troops; with the Count of Hannau for 668 of his troops; a letter from the paymaster general with his account, &c. &c. It was resolved, that these papers be referred to a committee of five, who should be instructed to extract and publish the treaties, and such parts of the intelligence as they thought proper, and to consider a proper reward for the person bearing the intelligence; and, "to prepare an address to the mercenaries who are coming to invade America." Mr. Lee was chosen one of this committee.‖

On the twenty-third instant, it was resolved, that a committee of five be appointed "to confer with General Washington, Generals Gates and Mifflin, upon the

* See Jour. p. 160. † Ib. p. 162. ‡ Ib. p. 166.
§ Ib p. 176. ‖ Ib. p. 179.

most speedy and effectual means of supporting the American cause in Canada." Mr. Lee was one of this committee.* On the twenty-fifth, General Washington attended by order of Congress, and after some conference with him, it was *Resolved*, "that a committee be appointed to confer with General Washington, Major General Gates, and Brigadier General Mifflin, and to concert with them a plan of military operations for the ensuing campaign." Of this committee, Mr. Lee was one.†

* See Jour. p. 186. † Id. p. 190.

CHAPTER VII.

The period was now approaching, when the continental Congress were about to take the decisive step, of dissolving the union between Great Britain and the colonies. This measure was not the act of ambitious men, who sought their own aggrandizement, regardless of the welfare of their country. It was the act of the most virtuous set of men with which history makes us acquainted. It was the measure of wise patriots, who, in common with their countrymen, felt the burden of oppression, and appreciated freedom, as the source of all private safety, and public happiness.

In the commencement of the dispute between the colonies and the mother country, the former claimed only those fundamental rights, which the British constitution guaranteed to all the subjects of the crown of England, and which had been productive of the happiest effects, as was evident, from their unexampled growth and prosperity. The inhabitants, descendants of Englishmen, had, for centuries, felt a common interest in the prosperity of the parent country; and had been taught, both by precept and experience, to consider the British constitution as the happiest, because the most effectual safeguard of human rights.

It was not wonderful, therefore, that the people of the colonies should so long have endured insult and injury; should so long have spoken the language, only of supplication and remonstrance. It is not wonderful that the wealth, the naval power, and military prowess of Great Britain, should so long have repressed the faintest idea of separation and independence.

In the early part of the year 1776, a large portion of the people of the colonies, still asked for nothing more

than a redress of grievances. A considerable number still considered those grievances the effect of unconstitutional proceedings, and unwarrantable demands. Many of the most judicious and able citizens, friends of the colonies, had not yet aspired to independence—they would have dreaded the horrors of civil war, and would have despaired of success, had the noble aspiration ever lifted up their minds.

The following letter of General Charles Lee, refers to the spirit predominating at this time.

"WILLIAMSBURG, May 10th, 1776.

My dear Friend—Your brother and I think, from the language of your letters, that the pulse of the Congress is low, and that you yourself, with all your vigour, are by collision, somewhat more contracted in your hopes than we wished to have found. If you do not declare immediately for positive independence, we are all ruined. There is a poorness of spirit and langnor in the late proceedings of Congress, that I confess frightens me so much, that at times, I regret having embarked my all, my fortune, life, and reputation, in their bottom. I sometimes wish that I had settled in some country of slaves, where the most lenient master governs. However, let the fate of my property be what it will, I hope I shall preserve my reputation, and resign my breath with a tolerable degree of grace.

God bless you—I cannot write more at present.—'Ah Cassius, I am sick of many griefs.'

Yours, most entirely,

Charles Lee.

Hon. Richard Henry Lee."

There were, however, many enlightened men, who had long foreseen the ultimate effects of ministerial measures. They had never hoped, for to them, no ground of hope appeared, that supplication or meek remonstrance would arrest the course, or alter the system of colonial administration. They early predicted, that

submission or *resistance* would be the fate, or the choice of the colonies. Believing that the course of things tended to this end, they had secretly indulged their love of liberty, in visions of free and confederated republics; and growing indignant at the wrongs heaped upon themselves and their countrymen, they had boldly reasoned with themselves, of "unalienable rights, and of national independence." The reader will have already distinguished Mr. Lee, as a leader of this class of men. He will remember, that upon the first intelligence of the declaratory act in '64, he had warned an English correspondent and politician, to consider, "that possibly this step (the declaratory act) of the mother country, though intended to oppress, and keep us low, in order to secure our dependence, may be subversive of that end. That poverty and oppression among those whose minds are filled with British liberty, may introduce a virtuous industry, with a train of manly and generous sentiments, which, when in future, they become supported by numbers, may produce a fatal resentment of parental care being converted into tyrannical oppression." He will recollect the opinions held by Mr. Lee, the language used, and the conduct pursued, from the very commencement of the troubles in America, up to this period. He will particularly recollect, the motion made by him, early in the first session of the continental Congress, "to arm the militia of the colonies;" his support of a motion made subsequently, in the Assembly of Virginia, by Patrick Henry, to arm the militia of that colony; and his opinion, that the colonies could successfully maintain a contest with Great Britain. The reader must perceive a bolder tone of indignation against the English government pervading the speeches, and the writings of Mr. Lee, than was consistent with the views of one, who sought redress of grievances merely. He will recollect, that General Gadsden of South Carolina, has said, that during the existence of the stamp act, Mr. Lee had invited him to become a member of a corresponding association, which was to suggest the idea of indepen-

dence, as the discontents of the people should become louder and stronger, against the unconstitutional administration of the English government.

For the last two years, Mr. Lee had been an avowed advocate for independence, and spoke with great confidence of the event of a contest. His speeches in the Assembly, and to the people of Westmoreland; his conversation among all classes of people in Virginia; his opinions strongly and eloquently enforced in his intercourse with the public men of that state, all conspired to prepare, and at length to determine his countrymen of Virginia, to declare that colony free and independent. On the 17th of May, 1776, the convention which had assembled on the sixth instant, unanimously resolved, "that the delegates appointed to represent this colony in the general Congress, be instructed to propose to that respectable body, to declare the united colonies free and independent states, absolved from all allegiance to, or dependence upon, the crown or Parliament of Great Britain; and to support whatever measures may be thought proper and necessary by the Congress for forming foreign alliances, and a confederation of the colonies, at such time and in such manner, as to them may seem best—provided, that the power of forming governments for, and the regulations of the internal concerns of each colony, be left to the respective colonial legislatures." The convention proceeded to the establishment of a regular independent government.

The continental Congress being the point of union, and the organ of efficient opposition, attracted the anxious attention of the ministry. They watched that body with earnest attention, and in terms of haughty vengeance, denounced its proceedings. They considered it the focus, to which all the heat and temerity of rebellion tended, and from which, they were reflected with tenfold intensity and power. The proceedings of the colonial Assemblies and conventions, had ceased to occupy their thoughts since the Congress multiplied all their apprehensions. The raising of an army, and the ap-

pointment of a commander-in-chief with every military power, had appeared but as the presumption of ill-advised and deluded rebels, who yet might be alarmed, or soothed into submission. But neither the ministry nor the people of Great Britain, had ever entertained the apprehension, that the colonies would dare to aspire to independence. It was to be expected, therefore, that a declaration of independence would excite the astonishment of the latter, and the fiercest indignation of the former. It was then not without reason apprehended, that the person who should propose, that the colonies be declared independent, would be marked out as that daring rebel, whose spirit should be quenched, and whose condign punishment should be made a terrible warning.

Amidst the hesitation of some colonies, the foreseen opposition of many able men of the Congress, the malice of the tories, the perils of war with its unknown issues, and the vengeance of the ministry, Richard Henry Lee moved the resolution, (in these his own words,) "That these united colonies are, and of right, ought to be, free and independent states; and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved."*

It has been seen, that the convention of Virginia had instructed her delegates in Congress, to propose to that body, to declare the colonies independent. As soon as the instructions arrived, they† appointed Mr. Lee to move a resolution conformably to it. The opinions and wishes of Mr. Lee, were well known to them, the boldness and decision of his character were suited to the crisis. His eloquence and political information peculiarly fitted him for the discussions, which, it was anticipated, would follow the motion.

That it was the opinion of Congress, that the member who made the first motion on the subject of independ-

* See Journal, p. 204.

† Mr. Wythe was at the head of the Virginia delegation, his name standing first on the list of deputies.

ence, would certainly be exposed to personal and imminent danger, may be inferred from the manner in which that motion is entered on the Journal. In the Journal of Friday, June the seventh, it is thus stated, "certain resolutions respecting independence being moved and seconded, *Resolved*, that the consideration of them, be deferred until to-morrow morning; and that the members be enjoined to attend punctually at ten o'clock, in order to take the same into their consideration." The reader will see, that neither the name of him who moved the resolutions, nor of him who seconded them, is mentioned. Richard Henry Lee moved, and John Adams seconded them.* The long debates which followed, (from the seventh of June, to the fourth of July,) show that the measure proposed by the resolution, was considered one of fearful hazard, and awful responsibility.

On the eighth, the Congress resolved itself into a committee of the whole, to take into consideration the resolutions respecting independence; and, after some time, the president resumed the chair, and Mr. Harrison reported, that "the committee having taken into consideration the matter to them referred, but not having come to any resolutions, they directed him to move for leave to sit again on Monday." It was also resolved, "that the Congress will, on Monday next, at ten o'clock, resolve themselves into a committee of the whole, to take into further consideration the resolutions referred to them."

On Monday, June tenth, the order of the day being before the house, the Congress resolved itself into a committee of the whole, "to take into further consideration the resolution to them referred." After several hours had been spent in debate, the president resumed the chair, and the chairman of the committee reported a resolution thereon. The resolution agreed to, in the

* See Marshall's Life of Washington, and Ottis' Ed. of the Chevalier Botta's History of the American Revolution.

committee of the whole Congress, being read, it was resolved, "That the consideration of the *first resolution be postponed* to the first Monday in July next, and in the meanwhile, that no time be lost, *in case the Congress agree thereto*, a committee be appointed to prepare a declaration, to the effect of the first resolution, which is in these words, to wit: "That these united colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown; and that all political connexion between them and the state of Great Britain, is, and ought to be, totally dissolved."*

It has already been seen by the reader, that the discussion upon Mr. Lee's motion for independence, continued from the seventh of June until the tenth, and that the deliberation of Congress on that day, ended in the adoption of a resolution, to appoint a committee to prepare a declaration. He will perceive, from the language of the resolution adopted on the tenth instant, that it was yet doubtful whether the resolution moved by Mr. Lee would be finally agreed to. The declaration was to be prepared, "that no time should be lost, in case the Congress might agree to adopt one." The resolution was opposed, so far as the writer has been able to ascertain, (from conversation with the late Governor Johnson, of Maryland, a member at the time of the discussion,) by no one, as impolitic and improper at *all times*, but as imprudent at *that time*. Some of the arguments against its present adoption were, the want of money; munitions of war; of disciplined and efficient armies; on the part of the colonies, the seeming tardiness of several colonies in declaring their wishes on the subject; the power and strength of Britain, by sea and land; and the yet unknown course of foreign governments, during the contest which would follow. Many able and virtuous patriots urged these, and similar topics, with great force. The leading advocate of immediate adoption, was R. H. Lee. Tra-

* See p. 206, of Journal.

dition (for we have no written history of this great and interesting debate) still relates, that he prefaced his motion with a speech, which was the effort of a mind of transcendent powers. He reviewed, in accurate and luminous detail, the rights of the colonies, and the violations of these rights by the mother country. He stated the resources of the colonies, and the advantages they would derive from union amongst themselves; the extent of their territory, and its capacity of defence, with a fulness of knowledge which was at once striking and wonderful. He dwelt upon the probable conduct of the continental powers, especially of France and Spain, with almost prophetic foresight, and demonstrated, with the skill and ability of a profound statesman, their policy in the event of a separation from Great Britain. He continued, during the debate, from the seventh to the tenth, to urge every topic, which his acute and well-stored mind could conceive, in support of his motion. He addressed, in splendid and persuasive eloquence, every patriotic and noble passion which could be felt by freemen; and in rich declamation, adorned by the finest allusions of classic story, portrayed the beauties of liberty, with her train of blessings, law, science, and glory. Memory has preserved a faint outline of his first speech, and pronounces the following, as the concluding sentences, with which he introduced his memorable motion: "Why then, sir, do we longer delay? Why still deliberate? Let this happy day give birth to an American republic! Let her arise, not to devastate and conquer, but to re-establish the reign of peace and of law. The eyes of Europe are fixed upon us; she demands of us a living example of freedom, that may exhibit a contrast, in the felicity of the citizen, to the ever increasing tyranny which desolates her polluted shores. She invites us to prepare an asylum, where the unhappy may find solace, and the persecuted repose. She intreats us to cultivate a propitious soil, where that generous plant, which first sprung and grew in England, but is now withered by the poisonous

blasts of Scottish* tyranny, may revive and flourish, sheltering under its salubrious and interminable shade, all the unfortunate of the human race. If we are not this day wanting in our duty to our country, the names of the American legislators of '76, will be placed by posterity at the side of those of Theseus, of Lycurgus, of Romulus, of Numa, of the three Williams of Nassau, and of all those whose memory has been, and for ever will be, dear to virtuous men and good citizens."

On the evening of the tenth, Mr. Lee received, by express from Virginia, the distressing intelligence that his lady was dangerously ill. This circumstance compelled him to ask leave of absence for a short time. He left Philadelphia on the eleventh instant; and on that day a committee of five members were chosen to draught a declaration of independence. The members were Messrs. Jefferson, J. Adams, Franklin, Sherman, and R. R. Livingston. The absence of Mr. Lee alone deprived him of the honour of being chairman of the committee to draw a declaration of independence, according to the uniform rule in all deliberative bodies, to appoint that member chairman of the committee, which is selected to report on any motion which he has made, and which has been adopted.

Mr. Jefferson having been appointed chairman of the above-mentioned committee, it was assigned to him to prepare a draught of the declaration, to be reported to Congress. On the first of July, according to the resolution of the tenth ultimo, the order of the day was read; when it was resolved, "that this Congress will resolve itself into a committee of the whole, to take into consideration the resolution respecting independence; and that the declaration be referred to the said committee." After some time spent in debate, the president resumed the chair, and Mr. Harrison reported, that the commit-

* The Scotch were extremely unpopular in the American colonies, during the revolution, in consequence of the fact that Lord Bute, Lord Mansfield, &c. were advocates of the right to tax America.

tee had come to a resolution, which they desired him to report, and to ask leave to sit again. The resolution agreed to, by the committee of the whole, being read, "the determination thereof was, at the request of a colony, postponed until to-morrow." The Congress on this day finally resolved, that it would sit in committee of the whole to-morrow, "to take into consideration the declaration respecting independence." On the second of July the Congress resumed the consideration of the resolution reported from the committee of the whole, which was agreed to as follows: "*Resolved*, that these colonies are, and of right ought to be, free and independent states; that they are absolved from all political allegiance to the British crown, and that all political connexion between them and the state of Great Britain, is and ought to be totally dissolved." It was thereupon resolved, "that the Congress will again to-morrow resolve itself into a committee of the whole, to take into further consideration the declaration respecting independence." On the third, agreeably to the order of the day, the Congress in committee of the whole house, took into further consideration the declaration reported by the chairman of the committee for that purpose; but not having finished their deliberations on that day, "they desired leave to sit again." It was accordingly resolved, that the Congress would on to-morrow again sit in committee of the whole, to take into further consideration, the declaration to them referred. On the fourth of July, agreeably to the order of the day, the Congress in committee of the whole, took into their further consideration the declaration; and after some time, the president having resumed the chair, Mr. Harrison reported, that the committee had agreed to a declaration, which they desired him to report. The declaration being read, was agreed to. Here follows, in the Journal, the Declaration of Independence, so long and so much admired for its chaste, dignified, and eloquent style; the principles of which are still (and it is hoped will be for ages to come,) ardently cherished.

The original draught then of the Declaration, as written by Mr. Jefferson, was debated for several days, paragraph by paragraph; the Congress amending, adding, or striking out from it, words, sentences, or paragraphs. Thus was this celebrated paper adopted and published! It marks the commencement of one of the most signal eras, recorded in the history of the world! Its publication inspired with the liveliest joy and hope, the breast of the illustrious patriot who moved, and so strenuously, and ably, and hazardously, advocated the immediate adoption of the resolution on which it is founded. With him his virtuous compeers joyed and hoped. "Joy elevated, hope brightened their crests." May their decendants, under the providence of that Lord God Almighty, who gave them victory, long protect the noble fabric which has been erected on an immutable basis; *the natural freedom and equality of all men!!*

It has been mentioned that Mr. Lee had been called to Virginia, on the eleventh of June. He remained some time absent from Congress. Shortly after the adoption of the Declaration of Independence, Mr. Jefferson wrote to him, enclosing the original draught, which he had drawn in the committe, and also a copy of the declaration as adopted by Congress. The original was carefully preserved by Mr. Lee; not only for the interest he felt in its history, but for the great respect and warm friendship he felt for Mr. Jefferson. It has been as carefully preserved by his family, and finally committed to the author.*

Whatever may be the literary merit of the original draught, candour will admit that it was improved by the alterations suggested in Congress. Candour will admit with equal promptness, that all of the finest passages of

* A copy of the letter, and of the draught, is given in appendix number five. The endorsement on it which is in these words "The Declaration of Independence as originally reported to Congress," is the autograph of Mr. Lee, as also the endorsement on the accompanying letter, "letter of Thomas Jefferson, Esq. July eighth, 1776."

the Declaration, as it was finally adopted, are the production of Mr. Jefferson; and that one paragraph, at least, in the original draught, which was struck out from the copy agreed to by Congress, might have been retained. The paragraph beginning with these words "he has waged a cruel war, &c." contains some fine and energetic sentences. It is worthy of remark, especially at the present day, when by a resolution of the Congress of the United States, the slave trade has been declared to be piracy, and by the same resolution the maritime nations of Europe and America, are invited to consent that it shall henceforth be so considered by the law of nations, that Mr. Jefferson was the first American statesman, and probably the first writer of modern times, who denounces that infamous traffic as a "piratical warfare."* The only reason, which appears fully to account for the rejection of this eloquent passage of the original draught, is, that as Congress was enumerating those acts of aggression upon the rights of the colonies, in which George III. might be considered an individual aggressor, as having given his assent to the obnoxious laws mentioned, or as having done the acts complained of by his own authority, it was thought unjust and perhaps untrue, to charge him with the cruelties and horrors of the slave trade. This trade it will be recollected had been carried on long before his reign. It is probable that George III. never gave his assent to any law on that subject, except to that which declared its abolition. In the clause of the original draught that upbraids George III. with the hiring and sending foreign mercenary troops to invade America, among those mentioned, the *Scotch* are specified. It was said that Dr. Witherspoon, the learned president of Nassau Hall College, who was a *Scotchman* by birth, moved to strike out the word "*Scotch,*" which was accordingly done.

The fame of R. H. Lee, in reference to the question

* This resolution was moved by Charles F. Mercer, Esq. of Virginia.

and Declaration of Independence, has not, unfrequently, been placed in competition with that of Mr. Jefferson. The true history of this celebrated period, furnishes no ground for this. Whatever merit is due to the part which Mr. Jefferson acted on this occasion, and whatever fame is justly ascribable to him, as the writer of the original draught, and the chief author of the present copy of the declaration, they are distinct from the merit and fame of Mr. Lee. All the prominent acts of the political life of the latter gentleman, both in the legislature and conventions of Virginia, and in the continental Congress, distinguished him as an intrepid advocate of independence. He made the first direct motion upon the subject in the latter body, in which situation, he could not fail to be marked out by an implacable ministry; and publicly, amid danger, doubt, and dismay, zealously, and ably maintained the right and policy of immediate and total separation from the state of Great Britain.*

* The following extract and anecdote, show the opinions of men, as to the perils of this period: "And should the same dispassionate consideration of the subject be resumed, for another purpose, it will be found, that at no time of the struggle, from the symptoms of disaffection, to the period when a small minority of the oppressed, gave battle to their oppressors in the eastern colonies, to the declaration of the majority against tyranny, though clothed in the venerable habiliments of British law, and to the consummation of their independence, was there a period so critical, as when that declaration was first proposed by R. H. Lee. Let it be supposed, for a moment, that it had been rejected! How different would have been the present situation of America! France would have had no confidence in a people, who had none in themselves, and to this hour, America might have been a part of the British empire. The Americans, until this paper was published to the world, had done nothing which their king might not have forgiven with dignity.—*Extract from P. Allen's History of the American Revolution.*

It is related of Mr. B. Harrison, of Virginia, and of Mr. Gerry, of Massachusetts, that after they had signed the Declaration of Independence, Mr. Harrison, who was a very large, fat man, said to Mr Gerry, who was thin, "*when the hanging scene comes*, I shall have the advantage of you—for all will be over with me, while you will be still kicking in the air."

An informed and grateful posterity will readily acknowledge, and cheerfully ascribe to this great man, the fame which patriotism has long since awarded to him, to the justice of which, history bears its admiring attestation. Perhaps, it may not be too bold, to hazard the prediction, that whenever a patriot, in either hemisphere, shall hereafter look with admiration and joy upon the freedom and glory of the United States, in his warmest accents, he will call on the name of Richard Henry Lee, and bid one of the father's of his country, hail!"*

Authentic anecdotes show that his name immediately became known in Europe, and particularly in England, and that the ministry kept him steadily in their eye, during the whole war.

A son† of Mr. Lee, was, at the time of the declaration of independence, at school in St. Bees, in England. From him, the writer has heard some anecdotes illustrating this fact. The ministerial papers, which gave the first intelligence of this event, to the inhabitants of that place, headed the column containing American news, thus: "Richard Henry Lee and Patrick Henry, have at last accomplished their object: The colonies have declared themselves independent of the mother country." One day, as this youth was standing near one of the professors of the academy, who was conversing with a gentleman of the neighbouring country, he heard the question asked, "what boy is this?" to which the professor answered, "he is a son of Richard Henry Lee,

* One of the revolutionary patriots, Colonel Humphreys, has paid him a fine compliment. In a poem he wrote on the subject of the new federal constitution, when deploring the difference of opinion on this subject, which existed between many of the revolutionary worthies, he thus alludes to R. H. Lee, who opposed it:

"Why asunder are they torn,
Why *his* loss should millions mourn,
Who, to glad the astonished earth,
SPOKE *an empire into birth.*"

† Ludwell Lee, Esq., of Virginia.

of America." The gentleman, upon hearing this, put his hand upon his head, and said, "we shall yet see your father's head upon Tower Hill;" to which the boy answered, "you may have it, when you can get it."

Governor Johnson, of Maryland, told the writer, that shortly after the war, he heard from an English gentleman of great respectability, who had lived in London during the revolution, and who had opportunities of hearing a good deal of the plans and intentions of the ministry, that they had intended, in the event of the reduction of the colonies, to have demanded the delivery of General Washington and Richard H. Lee, and to have executed them as the principal rebels. The writer was acquainted with a person, who, for many years, was a manager on Mr. Lee's estate. His integrity and character for truth, were more than ordinarily respected. He often related as a fact, the following incident: He had been at a wedding some distance from Mr. Lee's residence, which was immediately on the banks of the Potomac, and returned late at night. Not more than half an hour after his return, the door of the house in which he was, was forced open, and a midshipman and a captain of marines, attended by several armed men, entered his room, and commanded him to tell whether Richard H. Lee, was not in the dwelling-house or somewhere upon the farm. He declared that he was not. Suspecting that fidelity to his employer induced him to deny the truth, they then offered him a purse containing many guineas, if he would tell them where Mr. Lee was. He told them that Mr. Lee had that morning set out for Philadelphia, to the Congress. They then hastily returned to their boat. Mr. Lee, however, was only four miles distant from the house.

General Charles Lee, it will be recollected by the reader, was taken prisoner in December, 1776, and was closely confined by the British commander, Lord Howe, in New York. While in captivity, General Lee wrote a letter to Mr. Lee, in which he tells him that General and Lord Howe, had given him permission to

write to Congress. The purpose for which he wrote, he states to be, to induce Congress to send two or three gentlemen to New York, to whom he could communicate what deeply interested the public. He urges Mr. Lee to come, assuring him that he would be safe under the word of Lord Howe. The Congress, however, had not equal confidence with Gen. Lee, in Lord Howe's word, and rejected his request. The friendship which Mr. Lee entertained for General Lee, the generous sympathy which he felt for his misfortune, prevailed for a time over his judgment, and strongly inclined him to visit, in his private character, his distressed and captive friend, who had so disinterestedly devoted his life and services to America. His particular friends, and many members of Congress, earnestly remonstrated against such a hazardous step, under the general belief, that he was known to the British ministry, and to the commanders of the British armies, as the mover of the declaration of independence, and was on that account, so obnoxious to them, that no faith would be kept with him. Mr. Lee yielded to their remonstrance, and to the conviction of his own understanding, which for a time had been in *servitude* to his heart. He tells his friend, in reply, that "he had not the smallest idea of personal danger." He briefly and faintly alludes to the impossibility of his compliance with the request which General Lee had so earnestly pressed. His reply is marked with the brevity of deep feeling, and with the language of manly grief, which swells the bosom when it cannot serve its friend in the hour of need. The reader will pardon the transcription of General Lee's letter, and Mr. Lee's answer.

[*Letter from Gen. C. Lee, to R. H. Lee.*]

"My dear Friend—Lord and General Howe, have given me leave to write to the Congress. My request is, that they will suffer two or three gentlemen to repair

to New York, to whom I wish to communicate what certainly deeply interests me, and I think full as much the public. If you should be nominated, I beg you will set out with all possible expedition, as expedition in the present crisis of affairs, is of very material consequence. I would not urge you, (I know you too well,) to act against your opinion; but, as I cannot see the least ill consequences which can attend the measure, I cannot help expressing my wishes that you would use your influence to accomplish it. You will be in perfect security, for the word of Lord and General Howe, as gentlemen, are unquestionably to be depended upon; and, abstracted from all public considerations, you would, I am confident, undergo much greater inconvenience than this journey to serve one who is,

Most truly and affectionately yours,

CHARLES LEE.

To RICHARD HENRY or FRANCIS LEE, Esq."

[*Reply of R. H. Lee.*]

"PHILADELPHIA, FEBRUARY 11, 1777.

MY DEAR FRIEND—My feelings are not be described. I would go to every extremity to serve my friend, and the able friend of liberty and mankind. But here my power fails. I have not the smallest idea of personal danger, nor does this affect the present question.

Farewell, my dear friend, may you be as happy as you deserve, then the cause of humanity will have nothing to fear for you.

RICHARD HENRY LEE."*

While Mr. Lee was in Virginia, he received a letter from Mr. Samuel Adams, giving him an interesting account of the public affairs, and of the effect of the

*Both the above letters are taken from the original manuscripts. The reader will find, in Appendix, No. 6, a letter from General Charles Lee, to Lord Percy, while he was with the British army in Boston. It is due to his memory, to present this letter to the public.

declaration of independence upon the country. This letter cannot fail to be interesting.

[*Letter from Samuel Adams, to R. H. Lee.*]

"PHILADELPHIA, JULY 15th, 1776.

MY DEAR SIR—I must acknowledge, that when you left Congress, I gave you reason to expect a letter from me before this time. You will not, I am very certain, attribute my omission to the want of a most cordial esteem for you. The truth is, I hardly know how to write, without saying something about our Canadian affairs; and this is a subject so thoroughly mortifying to me, that I could wish totally to forget all that has passed in that country. Let me, however, just mention to you, that Schuyler and Gates are to command the troops, the former while they are without, the latter while they are within, the bounds of Canada. Admitting these generals to have the accomplishments of a Marlborough, or an Eugene, I cannot conceive that such a disposition of them will be attended with any good effects, unless harmony subsist between them. Alas! I fear this is not the case. Already, disputes have arisen, which they have referred to Congress; and, although they affect to treat each other with a politeness becoming their rank, in my mind, altercations between commanders who have pretensions so nearly equal, (I mean in point of command) forebode a repetition of misfortune. I sincerely wish my apprehensions may prove to be groundless.

General Howe, as you have heard, is arrived at New York. He has brought with him from eight to ten thousand troops. Lord Howe arrived last week, and the whole fleet is hourly expected. The enemy landed in Staten Island. Nothing has been done, saving that last Friday, about three in the afternoon, a forty and twenty gun ship, with several tenders, taking the advantage of a fair and fresh gale, and flowing tide, passed by our forts as far as King's Bridge. General Mifflin, who commanded there, in a letter of the fifth instant,

informed us that he had twenty-one cannon planted, and hoped, in a week, to be formidable. Reenforcements have arrived from New England, and our army are in high spirits. *I am exceedingly pleased with the calm and determined spirit which our commander-in-chief has discovered in all his letters to Congress. May heaven guide and prosper him.** The militia of the Jerseys, Pennsylvania, and Maryland, are all in motion. General Mercer commands the flying camp in the Jerseys. We have just now appointed a committee to bring in a plan for the reenforcement, to complete the numbers of twenty thousand men to be posted in that colony.

Our declaration of independence has given vigour to the spirits of the people. Had this decisive measure been taken nine months ago, it is my opinion, that Canada would by this time have been in our hands. But what does it avail to find fault with what is past? Let us do better for the future. We were more fortunate than we expected, in having twelve of the thirteen colonies in favour of the all-important question. The delegates from New Jersey were not empowered to give their voice on either side. Their convention has since acceded to the declaration, and published it even before they received it from Congress. So mighty a change in so short a time! New Jersey has finished her form of government, a copy of which I enclose. They have sent five new delegates, among whom are Dr. Witherspoon and Judge Stockton. All of them appear zealously attached to the American cause. A convention is now meeting in this city, to form a constitution for this colony. They are empowered by their constituents, to appoint a new committee of safety to act for the present, and to choose new delegates for Congress. I am told there will be a change of men, and if so, I hope for the better.

A plan of confederation has been brought into Congress, which I hope will be speedily digested, and be made

* Yet, Judge Johnson has represented Samuel Adams as an enemy to Generals Washington and Greene.

ready to be laid before the several states for their approbation. A committee has now under consideration a plan of foreign alliance. It is high time for us to have ambassadors at foreign courts. I fear we have already suffered too much by delay. You know on whom our thoughts were turned when you were with us.

I am greatly obliged to you for favouring me with the form of government agreed upon by your countrymen. I have not yet had time to peruse it, but I dare say, it will be a feast to our little circle. The device on your great seal pleases me much.

Pray hasten your journey hither. Your country most pressingly solicits, or, will you allow me to say, *demands* your assistance here. I have written in great haste.

Adieu, my dear sir, and be assured that I am, very affectionately, your friend,

S. Adams."

CHAPTER VIII.

Congress was about to exercise the highest attribute of political sovereignty, in the formation of treaties with foreign nations. Mr. Lee had long looked upon the contracting of treaties of alliance with some of the great powers of Europe, rivals of Britain, as the policy which would most essentially serve our cause. As soon, therefore, as he could leave home, he returned to Congress, in time to aid in that most important business. On the twenty-seventh of August, it was *Resolved*, "that the plan of treaties, with the amendments, (which had been made in committee of the whole House,) be referred to the committee who brought in the original plan, in order to draw up instructions, pursuant to the amendments." It was ordered, that two members be added to the committee: the members chosen were Messrs. Lee and Wilson.* On the seventh of September it was *Resolved*, that two members be added to the committee appointed on the twenty-fourth of July last, to consider the proposal made by the president of South Carolina, respecting General Lee, in room of those absent: Messrs. Lee and Walton were chosen.† On the fourteenth of October, a committee of three was appointed, to devise ways and means for supplying the treasury with a further sum of money. The members chosen were Messrs. Lee, Wilson, and Hall.‡ A committee of five was appointed, on the thirty-first of October, to prepare an effectual plan for suppressing the internal enemies of America, and preventing the communication of intelligence to the enemy.§ Of this committee, Mr. Lee was one.‖ He was chairman of a

* Jour. p. 330. † Ib. p. 346. ‡ Ib. p. 415.
§ Ib. p. 439. ‖ Ib. p. 478.

committee, to whom was referred a plan of an artillery yard, which had been laid before Congress.* On the following day, he was chosen chairman of a committee, who were ordered to consider and report a proper plan for establishing and training cavalry, in the continental army.† Several letters from Generals Washington, Ward, Gates, and Morgan; a petition and remonstrance from the captains and subalterns of Colonel Mackay's battalion; a letter from Lieutenant Colonel Wilson, and one from Colonel Hazard, were received, read, and on the 9th instant referred to the committee on the northern army. It was ordered, that another member be added to that committee: Mr. Lee was the member chosen.‡ On the same day, he was chosen on a committee, with Dr. Witherspoon and S. Adams, to prepare an address to the people of America, and a recommendation to the several states to appoint a day of humiliation, fasting, and prayer.§

On the ninth of December, several letters were received from Generals Washington, Sullivan, and Wooster; and several from R. Morris, Esq.; and were referred to a committee of four, of which Mr. Lee was chairman. On the twenty-sixth of the same month, it was *Resolved*, that a committee of three be appointed, to take into consideration the state of the army, and report thereon tomorrow. Of this committee, Mr. Lee was chairman. It reported on the following day, in which a minute view of the military concerns of the colonies was given.

This report contained a proposition of a novel and highly important nature. It was a proposition *so far to enlarge the powers of General Washington*, as to create him almost dictator. A jealousy of military power had long characterized the people of England, and of the colonies. The salutary principle of the absolute subordination of the military to the civil power, was a fundamental principle of the English constitution, and was

* Jour. p. 480. † Ib. p. 493. ‡ Ib. p. 506.
§ Ib. p. 508.

strictly enforced and jealously guarded by the people of North America. No man ever more uniformly maintained this principle than Mr. Lee. The crisis, however, was an awful one. Britain was putting forth her gigantic strength, to crush, at once, the rights of the colonies. The prospect was, indeed, dark and foreboding, at the close of the year '76. The Congress was forced, by the pressure of an overruling necessity, to pass an act vesting great and extraordinary powers in General Washington. That body was sensible of the delicacy of the step. Murmurs against the measure were heard from several quarters, which induced the Congress to address a communication to the governors and assemblies of the states, explanatory of this resolution. This address had the desired effect. The character of Washington, no doubt, greatly tended to gain the acquiescence of the states. This illustrious citizen exercised these powers, as he exercised all others entrusted to him by his country, for its good alone. It has been seen, that Mr. Lee was the chairman of the committee which proposed the measure of granting extraordinary powers to the commander in chief. That part of the report conferring those powers, was found among Mr. Lee's manuscripts, in his own hand writing; with which, the report in the Journal almost entirely corresponds. On the twenty-eighth it was "*Resolved*, That a committee should be appointed to prepare a circular letter to the several states, explaining the reasons which induced Congress to enlarge the powers of General Washington, and requesting them to co-operate with him, and give him all the aid in their power." The members chosen were Messrs. Lee, Wilson, and Adams.* The letter was draughted by Mr. Lee, and is here copied from his original manuscript.

"Sir—Ever attentive to the security of civil liberty, Congress would not have consented to the vesting of

* See Jour. p 509.

such powers in the military department, as those, the enclosed convey to the continental commander in chief, if the situation of public affairs did not at this crisis, require a decision and vigour, which distance and numbers deny to Assemblies, far removed from each other, and from the immediate seat of war. The strength and progress of the enemy, joined to the prospect of considerable reenforcements, have rendered it not only necessary, that the American forces should be augmented beyond what Congress had before designed, but that it should be brought into the field with all possible expedition. These considerations therefore induced Congress to request, in the most earnest manner, that the fullest influence of your station may be exerted, to aid such levies as the general shall, in consequence of the powers now given him, direct ; and that your quota of battalions, formerly fixed, may be completed, and ordered to head quarters with all the despatch an ardent desire to secure the public happiness can dictate."

A treaty of alliance with France and Spain, had long been considered by Mr. Lee, as a measure of vital importance to the colonies. He long argued that policy, no less than the jealousy of the power of Great Britain, entertained, particularly by France, would induce these powers to take a direct part in favour of American liberty. As soon, therefore, as independence had been declared, he strenuously advised the immediate appointment of ambassadors to the courts of these nations. The Congress being fully sensible of the importance of such a step, appointed commissioners to the court of Versailles. Before they sailed Mr. Lee moved in Congress several instructions to be given them, all of which were agreed to. These heads of instructious are here copied from the original manuscript in Mr. Lee's handwriting.

" As the scarcity of arms, artillery, and other military stores, is so considerable, would it not be proper to instruct the ambassador to France, that he press for an immediate supply of twenty, or thirty thousand stand of well fitted muskets and bayonets, a good supply of brass

field-pieces, gunpowder, &c. That these be sent under convoy. That a few good engineers be sent.

"It seems very clear that France does not mean to let America sink in the present contest. But distance, and the difficulty of giving a true account of our condition, may be the cause of opinions being entertained of our power to support the war on our own resources, longer than we can in fact do. Considering this, may it not be proper for the ambassador to press for an immediate declaration of France, upon the suggestion that our *re-union* with Great Britain might be endangered by longer delay. Should Spain be disinclined to our cause, from apprehension of danger to her South American dominions, cannot France be prevailed upon (at our request and upon our assurances,) to guarantee to that crown, her colonies here, from any molestation from us. Should not the ambassador give us the most speedy and effectual intelligence of his progress, that it may concern us to have."

During the period, from October, 1776, when the commissioners sailed for France, until a treaty was concluded with that country, Mr. Lee carried on a continued and full correspondence with his brother, Arthur Lee, Esq. one of them, in which he gave him every information relative to the military and political affairs of the United States. This intelligence, thus received and communicated to the other commissioners, was of essential advantage to them in conducting their negotiations to a successful conclusion. The reader will find, in appendix number eight, several interesting letters from the Congress, through their committee of correspondence, of which Mr. Lee was a member. They were written by him. They are here copied from original manuscripts, in his hand writing. They contain a more complete account of the state of the American confederacy, than can be elsewhere found. They show the ease with which Mr. Lee blended the minuteness of detail of a man of business with the comprehensive views of an enlightened statesman. On the twenty-eighth of

January, 1777, it was resolved that a committee of three be appointed to take into consideration the state of Georgia. Mr Lee was one of this committee.* It was on this day ordered, that the proceedings of the committees from the four New England states, which were under the consideration of the whole Congress, be referred to a committee of five; of which Mr. Lee was chosen chairman.† But a few of the numerous committees on which Mr. Lee served during the months of January and February, 1777, have here been mentioned. The reader will find, (if he take the trouble to examine the Journals of these months,) that he was continually employed on committees to which were referred the "driest details of business," without the diligent and skilful performance of whose duties, the great business of war could not have gone on.‡

On the ninth of April, it was resolved, that a committee of five be appointed "to consider what steps are necessary to be taken by Congress, and recommended to the state of Pennsylvania, for opposing the enemy, if they should attempt to penetrate through New Jersey and attack Philadelphia; that the said committee be instructed to confer with the executive council of the state of Pennsylvania on this subject, and with the general officers now in Philadelphia." Mr. Lee was chosen one of this committee.§ The reader will find in the appendix, number seven, a letter from this committee to General Washington, on the subject of the defence of the city of Philadelphia. It was written by Mr. Lee, and is there copied from his original manuscript. On the thirteenth instant the committee of appeals from the admiralty courts, reported, that they had heard the appeal in the case of the claimants and owners of the brigantine Shelburne, fully argued, and that the committee being equally divided in opinion, no verdict could

* Journal, third volume, p 39. † Ibid. p. 52

‡ Such as related to the clothing and feeding the armies, &c. &c.

§ Journal, p. 127.

be given. The Congress resolved, "that a committee of five be appointed, to rehear and determine the said appeal." Mr. Lee was chosen one of this committee.* On the following day he was chosen one of a committee to confer with the executive council of the state of Pennsylvania, and with the board of war of that state on military concerns.† An appeal being delivered, on the sixteenth instant, to the secretary, from a judgment of a court of admiralty, held at Plymouth in the state of Massachusetts, on a libel against the schooner Industry, it was *Resolved*, "that it be referred to the standing committee of appeals." It was then moved, that it be referred to a select committee of four. This motion prevailed, and Mr. Lee was chosen one of its members. On the twenty-third instant, it was *Resolved*, "that a committee of six be appointed to devise ways and means for speedily reenforcing General Washington's army." Of this committee Mr. Lee was one.‡

The long and laborious services of Mr. Lee in Congress, had now shaken his constitution. From this period of his life, he never enjoyed good health, although he continued in public. On the fifth June, it was *Ordered*, "That Richard Henry Lee have leave of absence, his health and private affairs requiring his return to Virginia."§

Justice to his reputation required his presence in Virginia. It will be with difficulty believed, in those days, in which hatred of tyranny, a love of freedom, and respect for great and good men, seemed to have been so generally felt, that there were men, both in, and out of the legislature of Virginia, who envied the fame and popularity of Mr. Lee, and slandered his character. It would be thought, that the patriotism of Mr. Lee, could not have been doubted. It was not by virtuous and enlightened men, nor indeed, by those wicked and designing persons, who raised a clamour against him. Their malice, however, at last, served only to brighten his fame.

* See Journal, p. 134. † Ibid. p. 136. ‡ Ibid. p. 152.
§ Ibid. p. 214.

The Virginia legislature, in common with Congress, had been compelled to issue great quantities of paper money during the year '76, and the winter of the year '77. The invariable consequence followed, a depreciation of the currency. Mr. Lee, when the non-intercourse associations mentioned in a former part of this Memoir, were formed, had agreed with his tenants on a tract of land in the upper part of the state, to commute their rents in money. into rents of produce. This circumstance, although a favour conferred on his tenants, at a time when there was no market for their produce, served, in a change of circumstances, as a basis for the charge of the envious and disaffected. They insinuated, that he was, in heart, a *tory*, and was, in reality, an *enemy* to the cause of America; that he had refused to take the money of the state, in payment of rents due by his tenants, with a design to depreciate its value, and thus to embarrass the public efforts to maintain the war. They charged him with several other crimes against the public good: Among others, they accused him with having favoured the interests of New England, to the injury of the interests of Virginia. Such is the propensity of corrupt human nature, to delight and believe in whatever can suggest doubts of the virtue of those who are eminently illustrious, that the above charges against Mr. Lee were widely circulated, and by many, credited.

In May '77, the Virginia Assembly met, and soon after its session commenced, it proceeded to the annual election of deputies to the Congress. At this election, Mr. Lee was left out. Having been informed of the charges made against him, and being, as it has been mentioned, indisposed, he returned home. He had been recently re-elected by the county of Westmoreland, a member of the Assembly of Virginia, and a short time after his arrival at home, went to Richmond, to demand an inquiry into his public conduct. The following account of this transaction of Mr. Lee's life, is taken from an elegant and accurate continuation of Mr. Burk's

History of Virginia, page 225. "Thomas Nelson, one of the delegates then in Congress, was compelled, by the bad state of his health, to resign that station, no less laborious than honourable. George Mason was appointed in his place; and, by the joint ballot of both Houses, Benjamin Harrison, George Mason, Joseph Jones, Francis L. Lee, and John Harvie, were elected delegates to the general Congress, from the eleventh August following. *Thus was Richard Henry Lee omitted in this appointment.* It appears, that reports injurious to the reputation and public character of that gentleman, had, in his absence, been alleged against him. This led him to solicit an inquiry by the House, into the nature of those allegations. The Senate attended this inquiry, and their presence gave additional solemnity to the scene. Several witnesses were examined, and Mr. Lee was heard in his place. His conduct had been pure, and his fame brightened by this ordeal. The Senate withdrew: and the House came to a resolution, in consequence of which, the speaker, the venerable George Wythe, addressed Mr. Lee in the following words:

'SIR—It is with peculiar pleasure that I obey this command of the House, because it gives me an opportunity, whilst I am performing an act of *duty* to them, to perform an act of *justice* to yourself. Serving with you in Congress, and attentively observing your conduct there, I thought that you manifested in the American cause, a zeal truly patriotic; and, as far as I could judge, exerted the abilities for which you are confessedly distinguished, to promote the good and prosperity *of your own country in particular*, and of the United States in general. That the tribute of praise deserved, may reward those who do well, and encourage others to follow your example, the House have come to this resolution:

'*Resolved*, That the thanks of this House be given by the speaker, to Richard Henry Lee, Esq., for the faithful services he has rendered his country, in discharge

of his duty, as one of the delegates from this state in general Congress.'*

To which, Mr. Lee answered:

'Mr. Speaker—I thank the House for this instance of candour and justice, which I accept the more willingly, as my conscience informs me, it was not undeserved. I consider the approbation of my country, sir, the highest reward for faithful services, and it shall be my constant call, to merit that approbation, by a diligent attention to public duty.

My thanks are particularly due to you, sir, for the obliging manner in which you have been pleased to signify the vote of the House, and I pray you, sir, to receive my grateful acknowledgments accordingly.'

The result of this investigation, having thus honourably dispelled the clouds, which, for a moment, obscured the political character of Mr. Lee, he was fully restored to the confidence of his fellow-citizens. In the course of the session, George Mason having resigned his appointment as a delegate, Richard Henry Lee was nominated, and appointed, in his room. The thanks of the Senate had, in the most flattering manner, been added to those of the House of Delegates."

Notwithstanding this honourable testimony of respect and gratitude, which the Assembly had borne to Mr. Lee's public services, those men who had *injured*, continued to *hate* him. So true is the remark of Tacitus, "proprium est humani ingenii, odisse, quem læseris." They continued, for some time, to slander him in private, and to harass him by their votes, at the annual election of delegates to Congress. Although they never afterwards succeeded in leaving him out, yet, on one occa-

* It is said, that Mr. Wythe shed tears, while addressing Mr Lee.

sion, (1778) they so far succeeded in the gratification of their malignity, as to put him lower in the delegation than he had before been, or ever afterwards was. The following letter of Patrick Henry to Mr. Lee, alludes to these circumstances. It will give the reader some idea of the vigour and vehemence which characterized his speeches.

"WILLIAMSBURG, ... 18th, 1778.

My dear Sir—Both your last letters came to hand to-day. I felt for you, on seeing the order in which the balloting placed the delegates in Congress. It is an effect of that rancorous malice, that has so long followed you, through that arduous path of duty, which you have invariably travelled, since America resolved to resist her oppressors. Is it any pleasure to you, to remark, that at the same æra in which these men figure against you, public spirit seems to have taken its flight from Virginia? It is too much the case; for the quota of our troops is not half made up, and no chance seems to remain for completing it. The Assembly voted three hundred and fifty horse, and two thousand men, to be forthwith raised, and to join the grand army. Great bounties are offered, but I fear, the only effect will be, to expose our state to contempt, for I believe no soldiers will enlist, especially in the infantry. Can you credit it; no effort was made for supporting, or restoring public credit! I pressed it warmly on some, but in vain. This is the reason we get no soldiers. We shall issue fifty or sixty thousand dollars in cash, to equip the cavalry, and their time is to expire at Christmas. I believe, they will not be in the field before that time. Let not Congress rely on Virginia for soldiers. I tell you my opinion, they will not be got here until a different spirit prevails. I look at the past condition of America, as at a dreadful precipice, from which we have escaped, by means of the generous French, to whom I will be everlastingly bound by the most heartfelt gratitude. But I must mistake matters, if some of those men who traduce you, do not prefer

the offers of Britain. You will have a different game to play now, with the commissioners. How comes Governor Johnson there? I do not see how it comports with his past life.

Surely Congress will never recede from our French friends. Salvation to America, depends upon our holding fast our attachment to them. I shall date our ruin from the moment that it is exchanged for any thing Great Britain can say, or do. She can never be cordial with us. Baffled, defeated, disgraced by her colonies, she will ever meditate revenge. We can find no safety but in her ruin, or at least, in her extreme humiliation, which has not happened, and cannot happen, until she is deluged with blood, or thoroughly purged by a revolution, which shall wipe from existence, the present king with his connexions, and the present system, with those who aid and abet it.*

For God's sake, my dear sir, quit not the councils of your country, until you see us for ever disjoined from Great Britain. *The old leaven still works. The flesh pots of Egypt, are still savoury to degenerate palates.* Again we are undone, if the French alliance is not religiously observed. Excuse my freedom. I know your love to our country, and this is my motive. May Heaven give you health and prosperity.

I am, your's affectionately,

PATRICK HENRY."

Mr. Lee returned to Philadelphia, in August '78, and resumed his seat in Congress, on the 12th of that month.

* This was written in moments of exasperation, in the midst of war and carnage. No man more thoroughly detested the French jacobins, who tried a revolution on these principles, than Patrick Henry. In the enjoyment of independence and peace, he acknowledged that England could, with George III. at her head, maintain the relations of peace and amity. He lived to hear of the reply of George III., when introduced to the first minister of the United States to his court. "I was the last man, sir, in my kingdom, to acknowledge the independence of your country; I shall be the last one in it, now, to question it." Considering the circumstances, it is worth all the splendid sayings recorded of kings.

On his return to that city, he had the pleasure of being introduced to the Marquis de La Fayette, and the Baron De Kalb, who had now generously proffered their services to Congress. With both of these distinguished foreigners he became intimate, and the friendship between them, ever afterwards continued. The reader will peruse the letters of the former, accompanying this Memoir, with that interest which his name inspires in all who remember his early and warm attachment to America. He still remembers her struggle, and rejoices in her prosperity.

These gentlemen were introduced to Mr. Lee, by Mr. Carmichael, secretary to the commissioners to France.

"Sir—As your brother, Arthur Lee, Esq., is not on the spot, I take the liberty, in consequence of his request, to inform you of his health; he is now at Burgos, in Spain, where he remains in consequence of the request of the Spanish ministry, to negotiate on behalf of the United States. From what he writes me, I hope he will at least get some money on our account. Your brother, the Alderman, as I am just informed by a gentleman from London, is well.* I take the liberty of introducing to your notice and protection the Marquis La Fayette, and Baron De Kalb. The former is of the first distinction, for birth, fortune, and family here: the other, of the highest reputation in the service, and strongly recommended by the Marshal De Broglio, and the Marshal De Mallabois. The former's family, are our strong support. His uncle is ambassador at the court of London, and from his representations, we hope to bring on a war, much sooner than it would otherwise happen. I hope he, (the Marquis,) will have every reason to think favourably of the country.

* William Lee, who had been an Alderman in London, and who was a commissioner in '79, of the United States, to the courts of Holland and Germany.

I have the honour to be, with much respect, your obedient servant,

WILLIAM CARMICHAEL,
PARIS, MARCH, 1777.

Hon. R. H. LEE."

In consequence of the friendship and intimacy which existed between Mr. Lee, and the Marquis La Fayette, the French officers always sought his acquaintance and patronage. The gratitude which Mr. Lee felt towards France for her assistance, and to the French officers who volunteered their services in our army, made him, on all occasions, their avowed and warm friend. He always supported their application for commissions, wherever they possessed merit to make it at all prudent to employ them. The author has found among Mr. Lee's manuscripts, many communications from the French, and other foreign officers who had come to America. They seemed to have conceived for him the most exalted respect, and to have considered him a friend not of America only, but of mankind.

When the Baron de Kalb returned to France, before the close of the revolution, he found in Paris two sons of Mr. Lee, who had been sent to France to finish their education. He took these youths with him on a visit to the "Hotel de Noailles," the residence of the Marquis La Fayette, and introduced them to the marchioness, in these words: "I have the honour to present to you, madam, the sons of Richard Henry Lee, of America; the friend of the Marquis La Fayette, and of all the French officers, who have gone to America."*

In the year 1777, there were numerous applications made to Congress, by foreign gentlemen for commissions in the army. In several instances, Congress found great difficulty, and suffered no little perplexity, in ex-

* The author received this anecdote from one of the gentlemen, who was then a youth. He distinctly recollects the words of De Kalb, and the person and manners of the marchioness, and her kindness to him and his brother.

amining their claims to preference, adjusting their rank, and satisfying their wishes. On the eleventh of November, 1777, Mr. Lee was appointed chairman of a committee, to which a memorial from the Chevalier Dorset, and from the officers who accompanied Monsieur Du Coudray from France, and the applications of other foreign gentlemen attending Congress were referred.* His general acquaintance with all the foreigners who had come to America for employment, no doubt, occasioned his appointment as chairman of this committee.

The reader will find in the Appendix, number nine, a letter from the brave De Kalb, one from the generous Count Pulaski, and one from the intriguing, unfortunate, and repentant Conway.

Mr. Lee was the member through whom propositions were made to Congress from foreign gentlemen. Two notes from the French Consul have been found among Mr. Lee's manuscripts, offering a loan of a million of dollars, on behalf of several persons in France, to the United States. One of them is in the following words:

"April 5th, 1779.

Mr. Holker, presents his compliments to the Honourable Colonel Lee, and begs leave to observe to him, that it is very essential for the interests of the proprietors of the money, which he has taken the liberty of offering to Congress, as a loan, that Mr. Holker should know whether his proposal is accepted or not, so as he might immediately dispose of the money in some manner. He hopes Mr. Lee will take the matter into serious consideration, and will please to draw up his report in order if any thing is to be done, to retrieve lost time, every minute of which is of the greatest importance to the public of America." A special committee was appointed to consider the offer, of which Mr. Lee was chairman. The second note is addressed to him, as chairman of the special committee, and states the sum offered to be a million of dollars.

† See Jour. p. 488.

As soon as Mr. Lee resumed his seat in Congress, though still in a very feeble state of health, he was called to constant and active business, in consequence of his appointment on almost every committee of importance. On August sixteenth, there was a committee of five appointed, to take into consideration the state of the western frontiers, and the northern department, which was ordered "to report thereon, with all convenient despatch." On this committee Mr. Lee was placed.* On the twenty-second of October, he was chosen chairman of a committee to inquire into the conduct of Colonel George Morgan ;† according to his habit of performing the labours of the committees on which he acted, he wrote a long letter to a gentleman in Pittsburg, where Colonel Morgan commanded, in which the whole subject before the committee is stated with great minuteness, and sundry inquiries made respecting the conduct of that officer. The manuscript letter is in the handwriting of Mr. Lee. A few days before, he had been chosen one of a committee of three, to consider the best method of preventing intercourse between the towns possessed by the enemy and the country.

As soon as the intelligence of the capture of General Burgoyne had reached Congress, it was "*Resolved*, That a committee of three be appointed, to prepare a recommendation to the states, to set apart a day of thanksgiving, for the signal success lately obtained over the enemies of the United States." Mr. Lee served on this committee, which reported the following day.‡

While every reader acquainted with the proceedings of that illustrious body, the continental Congress, must admire the wisdom of their measures, the Christian reader must contemplate, with delight and veneration, the fervent and exalted piety evinced in their proclamations, recommending days of fasting, humiliation, and thanksgiving. In point of composition, too, they are not unworthy of those men who penned the celebrated state

* See Jour. p. 333. † Ib. p. 434. ‡ Ib. p. 465.

papers of 1774-5. *The wise and great men of those days were not ashamed publicly to confess the name of our blessed Lord and Saviour Jesus Christ! in behalf of the people, as their representatives and rulers, they acknowledged the sublime doctrine of his mediation!* He, "whose name is above every name;" at which "every knee shall bow;" who is "head of all principalities, and powers, and dominions;" to whom "angels, and authorities, and powers, in heaven and *on earth*, are made subject," exercises a gracious and mediatorial providence over the affairs of *nations* as well as over the destiny of individuals! Hence result the propriety, and *duty* too, of those in authority, to acknowledge the superintendence of His providence over the nation, and to return to Him their thanks for national blessings. For the omission of this duty, nations suffer "through all their borders." Rulers being responsible to the *people*, this ordination of God is just, *and particularly just* in the case of republics, in which the popular opinions and wishes can be enforced.

The following proclamation, for sentiment and style, is worthy of deliberate perusal. It is believed to be the production of Mr. Lee's pen. It partakes of the eloquence of his style, and of the fervour of his mind. It does not, however, breathe a holier spirit, than that which animated the breast of S. Adams, who was also one of the committee that reported it.

"NOVEMBER 1, 1777.

Done in Congress.

Forasmuch as it is the indispensable duty *of all men, to adore the superintending providence of Almighty God; to acknowledge, with gratitude, their obligations to Him for benefits received, and to implore such further blessings as they stand in need of; and it having pleased Him, in his abundant mercy, not only to continue to us the innumerable bounties of his common providence, but also to smile upon us in the prosecution of a just and necessary war, for the independence and establishment of our unalienable rights and liberties; particularly in that He hath*

been pleased, in so great a measure, to prosper the means used for the support of our arms, and to crown them with the most signal success: It is therefore recommended to the legislative and executive powers *of these states, to set apart Thursday, the eighteenth December next,* for solemn thanksgiving and praise; *that, with one heart and one voice, the* people *may express the feelings of their hearts, and consecrate themselves to the service of their Divine Benefactor! and together with their sincere acknowledgments and offerings, they may join the penitent confession of their manifold sins, whereby they have forfeited every favour, and their earnest and humble supplication, that it may please God,* through the merits of Jesus Christ, *mercifully to forgive and blot them out of remembrance; that it may please Him, graciously to afford his blessings on the government of these states respectively, and to prosper the public council of the whole; to inspire our commanders, both by sea and land, and all under them, with that wisdom and fortitude which may render them fit instruments, under the providence of Almighty God, to secure for these United States the greatest of all blessings, independence and peace; that it may please Him to prosper the trade and manufactures of the people, and the labours of the husbandman, that our land may yield its increase; to take schools and seminaries of education, so necessary for the cultivation of the principles of true liberty, virtue, and piety, under his nurturing hand; and to prosper the means of religion for the promotion and enlargement of that kingdom, which consisteth "in righteousness, peace, and joy, in the Holy Ghost!"**

On the 3d of September, '77, Colonel Wilkinson, according to order, attended Congress, and laid before it, the original papers relating to the convention of Saratoga. On that day, a motion was made "for directing the future operations of General Gates." Mr. Lee was chairman of the committee, to which was referred the subject of the motion.† It is well known, that there

* See Journals, p. 467. † Ib. p. 471

was some difficulty respecting the ratification of the convention of Saratoga. The question, how far the reigning power is bound to ratify a convention made by a commander, has long been much agitated by writers on the law of nations. It is a question not without considerable difficulty. On the 6th instant, the convention of Saratoga was referred to a committee of four, on which Mr. Lee was chosen.*

On the 10th instant, several propositions to add to the articles of confederation, were laid before Congress. This was a subject of vital importance to the union of the states, and one which required great caution and wisdom. The states were jealous of their rights, and their particular interests. On that day, it was *Resolved*, "that a committee of three be appointed, to take these propositions into consideration, and to report such as they may judge proper to be added, not altering those already agreed on." Mr. Lee was one of this committee.† This committee reported on the following day; and the consideration of the report, postponed until the thirteenth. It was on this day *Resolved*, "that the articles reported be adopted;" and it was *Resolved*, "that a committee be appointed to revise and arrange the articles of confederation, and to prepare a circular letter to the states, to accompany the said articles." Mr. Lee was the chairman of this committee.‡

It has been mentioned, that Mr. Lee's health had not been completely restored by his return to Virginia, in July. The fatigue of close attention to business, again forced him to remit public cares. On the 15th, it was ordered, "that Mr. Richard Henry Lee, have leave of absence, for the recovery of his health." Notwithstanding, however, the daily injury to his health, which Mr. Lee experienced, the deep interest he took in the public welfare, and his conviction of the increasing importance of the measures of Congress, still kept him a laborious member. On the 19th instant, the reader will find him

* See Jour. p. 489. † Ib. p. 497. ‡ Ib.

in Congress, acting on the most arduous committees until the 4th of December. Thus, several days after he obtained leave of absence, he was chairman of a committee of three, to which were referred, "the return of the ordinance, &c. taken from the enemy, enclosed in General Gates' letter of the 10th, and a letter from the council of safety of New York."* On the second of December, a committee of three were appointed, to recommend to the several states, to call in the paper money issued by them, under the authority of the king of Great Britain. Of this committee, Mr. Lee was chairman.† On the 4th instant, a letter from General Washington, and one from General Varnum, were laid before Congress, and referred to a committee of five, of which Mr. Lee was chairman.‡

The state of Mr. Lee's health now compelled him to return to Virginia, and to relinquish for a time, all public pursuits.

The attention of Mr. Lee, while in Congress, was not confined to the business of that body. His active mind was deeply engaged in all public concerns, and was constantly considering what could be done most conducive to the public good. Among other instances of this, which might be mentioned, the following may be here related: while he was still in Congress at York in Pennsylvania, there passed through that place a serjeant and eight men, whose term of enlistment had expired. When Mr. Lee heard of this circumstance, he hired a

* On the third of December, the committee on Indian affairs, reported a speech to be made to the Six Nations of Indians. It was written by Mr. Lee. It gives a pleasing instance of the ease with which he could adopt his eloquence to the bold and figurative style of those orators of nature. After reproaching them for their ingratitude to the United States, and expressing astonishment at their late conduct, it declares, it would have been as impossible to have expected it, as to have expected, "that the mole should overturn the vast mountains of the Alleghany, or that the birds of the air, should drink up the waters of the Niagara." See the whole speech at p. 555, vol. iii. Journals.

† Jour. p. 518—551. ‡ Ib. p. 561.

man to go after them with a letter to the serjeant and men, persuading them to return to the army, and pledging Mr. Lee's honour, to pay them the enlistment money and the cost of the conveyance of their baggage. He succeeded in getting them to return. While he was in Congress, engrossed with its business, he prepared a plan of defence of the coasts of Virginia, which received great eulogium from the military and naval characters of the day. As he was passing through Maryland on his return to Virginia, he heard that persons on both shores of the Potomac, carried on considerable traffic with the British ships of war in the Chesapeake Bay. He wrote from the tavern in which he was lodging for the night, letters to the governors of the states of Virginia and Maryland, informing them of this circumstance, and devising a method by which this intercourse might be prevented. The author has the manuscript copy of those letters also.

It was thought that the following letter from Arthur Lee to General Washington, written during the year in which the reader has been contemplating Mr. Lee's public career, would add a pleasing variety to the narration of this Memoir. Mr. Arthur Lee was for a time an accredited commissioner of the United States, to the court of Berlin. It contains an interesting anecdote of General Washington, and informs us too, of the opinion of the military men of Europe, of his talent as a general.* The manuscript copy of it was given by the writer to his brother R. H. Lee.

BERLIN, June 15th, 1777.

To his Excellency General Washington.

Dear Sir—It has been with uncommon satisfaction, that I have seen you in a situation in which I long hoped you would be, if we were forced to dispute the great question, which, in my own opinion, I was satisfied

* This letter too, may serve to prove further, the incorrectness of the charge contained in Johnson's life of Green, that the "Lees of Virginia were inimical to General Washington. Full proof to the same effect, can be given in relation to F. L. Lee.

would happen. I never forgot your declaration, when I had the pleasure of being at your house in 1768, "that you were ready to take your musket upon your shoulder whenever your country called upon you." I heard that declaration with great satisfaction: I remember it with the same, and have seen it verified to your immortal honour and the eminent advantage of the illustrious cause in which you are contending.

I have the pleasure of assuring you that your conduct against General Howe, has been highly approved by military men, here and in France. That approbation has been increased in those to whom I have had an opportunity of stating the great inferiority of the troops you commanded, to those of the enemy, in number and in every provision for war.

The Prussian army, which amounts to two hundred and twenty-eight thousand, are disciplined by force of hourly exercise, and move with a rapidity and order which are certain to succeed against any troops in Europe. When the king reviews any army of forty thousand men, not a man or horse, the former in full march, the latter in full gallop, is discernibly out of line. The regiments are in the field every day, where, beside the general exercise, every man is filed off singly, and passes in review before different officers, who beat his limbs into the position they think proper, so that the man appears to be purely a machine in the hands of a workman. The improvements of utility which I have been able to note, are these; the ramrods are of double thickness all the way, and enlarged as ours are at one end. The advantage is to ram down the charge, so that they do not turn the rod, but raising it to the muzzle, they plunge the lower end into the barrel, and then raising it up, return it straight, without the necessity of turning it as formerly. This saves a great deal of awkward motion, and of time. The mouths of the loops are very large, so that there is much more readiness in hitting them than formerly; which also expedites the important business of charging. The musket, to compensate for this

increase of weight, is two inches shorter in the barrel. When the men present, instead of levelling their firelocks, they are taught to slant them down, so that a point blank shot would apparently strike the ground at about ten yards distance. This depression is found necessary to counteract the elevation, which the act of firing inevitably gives the musket; and even when a ball strikes the ground, it generally rises, and may do execution, but if directed too high it is lost entirely. These are alterations which seem to me of great utility, and I wish they may appear so to you.

It is my intention to write a history of this civil contention. The share you have had in it, will form an interesting and important part. It will be in your power to preserve a variety of material papers and anecdotes for such a work. May I venture to hope that you will think me so far worthy of your confidence as to preserve them for me? Dubious parts of history can be cleared only by such documents; and we shall want every authentic record to vouch against the forgeries which will be offered to the world.

The resources of our enemy are almost annihilated in Germany, and their last resort is to the Roman Catholics of Ireland. They have already experienced their readiness to go, every man of a regiment raised there last year, having obliged them to ship him off tied; and certainly they will desert more than other troops whatever. They themselves rely on the present campaign. They have no probability of reinstating their army, except with Roman Catholics of Ireland; should this campaign materially diminish it, I have a plan for rendering that of little effect, which, I hope, will succeed. Should you keep your ground, the question of acknowledging your independence, will become very serious, next winter, with the European Powers. But until the events of this summer are decided, their conduct will remain the same, and no open acts of interference will take place.

I am, dear sir, with great respect, yours, &c. &c.

ARTHUR LEE."

Mr. Lee was unable to return to Congress, before the first of May, 1778. He had been, in the preceding April, re-elected, from Westmoreland county, a member of the Assembly of Virginia. On the first of May, he took his seat in Congress; and on that day, he was chosen chairman of a committee of three, "to report proper instructions to the commissioners of the United States at foreign courts."* On the 4th instant, a letter from General Washington was read, and referred to a committee of three; of which committee, Mr. Lee was chairman.† On this day, despatches having arrived, bearing a treaty of alliance with France, a committee of three was appointed, to prepare proper forms of ratification of the treaty with his most Christian majesty; of this committee, Mr. Lee was chairman.‡ It was highly expedient, to inform the people of America, of the treaty of alliance with France, by an address, which should be calculated to inspire them with fresh hope and vigour. On the sixth instant, it was *Resolved*, "That a committee of three be appointed, to prepare an address to the inhabitants of these states, on the present situation of public affairs;" Mr. Lee was chosen chairman.§ On the eighth instant, this committee reported an address, which may be read in the fourth volume of the Journals, page 267. It is an eloquent production, and admirably well fitted, to arouse and inspirit. The author has no further proof that it was written by Mr. Lee, than that to be derived from its style, and to be inferred from the fact, that he almost in every case, prepared the papers of committees on which he acted, especially, as chairman.

On the thirteenth instant, a letter was received from General Washington, enclosing one from General Sir William Howe, respecting an exchange of prisoners; which letters were referred to a committee of three, of which Mr. Lee was one.‖ On the next day, a memorial

* Jour. p. 251-2. † Ib. p. 255. ‡ Ib. p. 257.
§ Ib. p. 265. ‖ Ib. p. 285.

from sundry inhabitants of Nova Scotia, was received, and referred to a committee of three, of which Mr. Lee was chairman.* On the seventeenth, a number of intercepted letters were laid before Congress; whereupon, it was *Resolved*, "That they be referred to a committee of three, and that the said committee be empowered to take such steps, and pursue such measures, as they judge necessary for the interests of the United States;" Mr. Lee was chosen chairman of this committee.† On the twenty-sixth, a memorial from the field officers, prisoners on parole on Long Island, was received, and referred to a committee of three, of which Mr. Lee was chosen chairman.‡ On the third of June, the committee to whom a letter of General Washington had been referred, reported; and, after debate, their report was re-committed, and two members were added to the committee; one of the members added, was Mr. Lee.§ Congress, on the fifth, resumed the consideration of the report of a committee, to which had been referred, a letter from General Wadesworth, commissary general of purchases. After debate, it was re-committed, and two members were added; one of which was Mr. Lee.‖ On the sixth, a letter from General Washington was received, enclosing letters from Lord Howe and General Clinton, together with three acts of the British Parliament, which were referred to a committee of four, of which Mr. Lee was one.¶ On the ninth, he was chosen chairman of a committee, to which were referred a letter of General Washington, and on the same day, one of a committee, to which were referred letters from General Gates.**

Lord North's "Conciliatory Propositions" were made known to Congress, by the letters of Lord Howe and General Clinton. General Washington informed Congress, that passports were required by Lord Howe for the commissioners, under the act of Parliament contain-

* Journal, p 285. † Ibid. p. 291. ‡ Ibid. p. 309.
§ Ib. p. 326. ‖ Ib. p. 330. ¶ Ib. p. 331. ** Ib. p. 335.

ing the conciliatory propositions. This letter from General Washington, was referred to the committee appointed to consider those propositions, of which it has been mentioned, that Mr. Lee was chairman. While these highly important papers were yet before this select committee, a letter from General Green, quartermaster general, was received, and referred to a committee of three; Mr. Lee was one of this committee.* On the sixteenth, several letters, and other papers, were received from the British commissioners, which were referred to a committee of five; Mr. Lee was chosen chairman of the committee, which, in the afternoon of the same day on which it was appointed, reported a draught of an answer to be given to the commissioners.† The author has the original manuscript of this draught, in Mr. Lee's own hand writing. It corresponds exactly with the letter, as it is found in the journal, page 353, volume four. On the nineteenth, a letter was received from John Brown, Esq., president of the board of war, with a manifest of the cargo of the "Lady of Mount Carmel, and St. Antonio." This letter, &c., were referred to a committee of three, of which Mr. Lee was chairman.‡

It has been seen, that Congress had appointed a committee, to make such additions to the articles of confederation, as seemed to be necessary. Some of the states, to which these additions had been proposed for their adoption or rejection, had rejected some of the articles proposed by Congress, and suggested others in their room. After much debate, on the twenty-fifth, the subject was finally closed, by the consent of all the states to the articles of confederation, as then amended, and a committee of three was appointed, to prepare a form of solemn ratification. Mr. Lee was chairman of this committee, and prepared the form.§ He has been always honoured as one to whom the states owed the greatest debt of gratitude, on the subject of their con-

* See Jour. p. 340. † Ib. p. 346. ‡ Ib. p. 359. § Ib. p. 382-3.

federation and union, during the trying period of the revolution. He permitted no sectional jealousies to blind and pervert his judgment. Looking upon all the states to be equally interested in the great object for which they were contending, and feeling for all their inhabitants, the attachment of a fellow citizen, he deprecated the indulgence of distrust and jealousy of each other, and never failed to denounce the man who endeavoured to awaken such baneful passions.

On the 8th of July, Mr. Lee was one of a committee to which was referred, letters from Governors Trumbull and Livingston, together with many other papers of importance.* On the ninth, he was chosen chairman of a committee to draught a circular letter to those states, which had not yet ratified the confederation, according to the form prescribed on the report of the committee of the twenty-fifth ultimo. On the eleventh, he was chairman of a committee, whose duty was strictly "dry detail of business." From this period, to the fourth of August, he was on many similar committees. On that day, he was made one of a committee of three, to which was referred a letter received from General Washington on military affairs. On the same day, he was one of a committee of three, to which a memorial and petition on matters of dry business were referred; and, the committee was ordered to report specially.

Mr. Lee was elected again, on the nineteenth of August, by the Assembly of Virginia, a delegate to Congress, for the term of one year.

On the twenty-first of August, a letter was received from General Washington, enclosing the proceedings of a court martial on Major General Lee, and also, a letter from Major General Phillips, respecting the convention-army in Canada. It was *Resolved*, "that the said papers, and so much of General Washington's letter as refers to the letter of General Phillips, be referred to a committee of three." Mr. Lee was one of this commit-

* See Journal, p. 398.

tee. On the same day, a letter was received from the council of Pennsylvania, containing a request from the council, and a committee of the House of Assembly, to have a conference with a committee of Congress, on the subject of fortifying the river Delaware. A committee was accordingly appointed, of which, Mr. Lee was chairman. A letter from the Baron De Kalb was received, and on the twenty-second instant, the military subjects contained in it, were referred to a committee. Mr. Lee was chosen chairman of this committee. On the twenty-seventh, a committee of five, "to consider the state of the finances, and report thereon from time to time." Of this very important committee, Mr. Lee was one.

On the fourth of September, it was *Resolved*, "that the committee of arrangement, to which, the letter of the eleventh ultimo, from the council of war of Rhode Island was referred, be discharged, and it be referred to a committee of three, of which, Mr. Lee was chosen one. On the seventh, a letter from Major General Arnold was received, and referred to a committee of five, of which, Mr. Lee was chairman. On the ninth, a letter from the Count D'Estaign, was received and referred to a committee of four, which was directed to prepare an answer. Of this committee Mr. Lee was chairman. On the tenth, a committee of five was appointed to confer with the minister plenipotentiary to France, respecting the future operations of the fleet, under the command of the Count D'Estaign. Mr. Lee was chosen chairman of this committee. On the seventeenth, the report of a committee on the arrangement of the treasury, was reconsidered and referred to a committee of five, of which, Mr. Lee was one.

On the fifth of October, it was *Resolved*, "that a committee of four be appointed to confer with the supreme executive council of the state of Pennsylvania, on the best means of repelling the enemy, should the British commander discover any intention of again attacking Philadelphia." Mr. Lee was one of this committee.

On the thirteenth, he acted on a committee, to which were referred, a letter from the Marquis La Fayette, and one from General Washington, both of which were written on military affairs. On the same day, he was one of a committee to which were referred, a report from the committee on finance, and a proposed amendment. On the following day, he was chairman of a committee, to which a letter from the Count D'Estaign, to the honourable Seur Gerard, and sundry other letters accompanying it, was referred. On the nineteenth instant, a letter from the commissary of purchases, was read and referred to a committee of three, of which Mr. Lee was chairman. On the twenty-sixth, it was *Resolved*, That a committee of three be appointed, to superintend the publication of such matters, as relate to the disputes, petitions, and negotiations to, and with Great Britain, and such notes and explanations thereon, as to them may seem proper. Of this committee, Mr. Lee was chairman.

Mr. Lee's strength again failed him, under the labours which duty and love of country, called him to undergo. On the first of November, he was compelled to ask leave of absence. But, even when his body was confined to his house by the stern restraints of disease, his mind was still active; it still studied the interests of the nation, and watched every movement and device of its external and internal enemies. This unwearied activity of mind, had become a well known characteristic of Mr. Lee. Hence, the reader will find, by referring to the Journal of the 1st of November, '78, that after leave of absence had been given him, it was ordered, "that the memorial of Captain Harper, and the papers relative thereto, be delivered to R. H. Lee." These papers related to the proceedings of one of the courts of admiralty, on a libel against the schooner Liberty, and the property on board of it. These papers had been referred to a committee of three, on the twenty-sixth of August, which had reported. The report was postponed, and now, on the first of November, all the papers

were ordered to be delivered to Mr. Lee, on his return to Virginia. Mr. Lee's mental energy never yielded to the hand of disease, nor failed with the decline of his body. Hence, Dr. Rush, in speaking of the extraordinary activity of Mr. Lee's mind, even when his body was enfeebled, said, "his mind was like a sword, which was too large for its scabbard."

An anecdote may here be related of Mr. Lee, which serves to show the unceasing interest he took, in the public affairs, when in the retirement of private life. When intelligence reached Westmoreland, of the arrival of the French fleet, under the Count De Grasse, off Norfolk, Mr. Lee was at home. He immediately formed the idea of supplying it with fresh provisions, which he knew would be grateful to both seamen and officers, after so long a voyage. He went in person through the county, and procured a subscription of such articles, as each person could most conveniently give, of live cattle, poultry, butter, vegetables, &c. He himself largely contributed. He succeeded in procuring provision sufficient, to load a schooner, which he freighted and sent, with a letter, to the Count.*

* See the Count's reply, Appendix No. 10.

CHAPTER IX.

It was thought to be due to the memory and reputation of Mr. Lee, to give a sketch of his services and labours in the Continental Congress, during the most difficult and gloomy periods of the revolutionary struggle. These have been undervalued in the present age. To enable the reader to estimate his character, he has been introduced with Mr. Lee, into the hall of legislation, and led with him to the business of committees. He has been asked to contemplate him as a statesman, and a man of business, because it seemed meet and just, that a republic, whose foundation he so ably and successfully laboured to lay firmly on the solid basis of liberty, knowledge and virtue; should possess an authentic and connected memorial of the life and character and labours of one of its most useful citizens.

During the sessions of 1774-5-6-7-8, Mr. Lee was at the head, or a member of every military and naval committee. The remark is equally applicable to nearly every committee on finance and foreign affairs. Besides serving on many others, which have been omitted, he was, during the sessions of 1774-5, a member of fourteen committees to draw papers; five about military matters; and nine about miscellaneous affairs. In the session of 1776, he was on two committees to draw papers, fifteen on military and naval concerns, and thirteen on miscellaneous matters: in the session of 1777, he was on two committees to draw papers, twelve on military and naval, and twenty on miscellaneous subjects: in the session of 1778, he was a member of four committees to draw papers, thirteen military and naval, and twenty miscellaneous. During the three last ses-

sions, he had been absent, in consequence of ill health, from one to three months. It is believed that his labours were not confined to those subjects, which had been referred to his consideration, for the author remembers to have heard a gentleman of the highest respectability, repeat a conversation between Dr. Shippen, of Philadelphia, in whose house Mr. Lee lodged, while he was a member of Congress, in which the doctor observed, "that there was a constant procession of members repairing to his chamber, to consult about their reports." He was the author of many of the publications of the Old Congress, from some of the most important of their addresses, down to the commission of their military chief.

A few days after Mr. Lee reached home, he received a letter from General Whipple, a delegate from New Hampshire, and a leading man in that state. It is pleasant, amid war and business, to observe the warm and social feelings of private life. It was, no doubt, grateful to Mr. Lee, to be thus cherished in the esteem and respect of virtuous men, from every part of the country.

"PHILADELPHIA, 8th November, 1778.

MY DEAR SIR—On my arrival here, the fourth instant, I had the pleasure of receiving your favour of the 31st ultimo, at the hand of our mutual friend, Mr. Adams. I esteem myself highly obliged by this token of your remembrance, but should have been much happier to have seen you here.

May I hope that my loss may be made up by frequetly hearing from you, which I flatter myself your retirement will afford you opportunities of gratifying me in.

You may be assured my attention will be much engaged in marine matters, and it will afford me particular satisfaction to co-operate with you in that business when you return here, which it is my sincere wish your business may speedily admit of.

I left Mr. Langdon very well on the twentieth October. He very particularly desired his respects to you. Please

make my most respectful compliments to your good lady, who, I hope, will so far retract her promise, as to give me an opportunity (when peace is happily established) to introduce her to such persons in Portsmouth as will be very happy in having an opportunity of making a visit to that country agreeable to her.

I have taken up my quarters at *Liberty Hall*, where you know there is a set well agreed in political sentiments, and I think I may say with great certainty, that they are as well agreed in sentiments of esteem and respect for you. I anticipate the pleasure of some long winter evening, when, with a social pipe and a friendly glass, we shall call to mind our worthy friend, and heartily join in wishing he may be soon added to our little circle.

I have nothing new at present to give you. Whenever any thing happens that I think will give you pleasure, be assured that it will be a double pleasure to me to communicate it.

I am, dear sir, with the utmost sincerity, most respectfully your's, &c.

WILLIAM WHIPPLE."

Mr. Lee did not remain long at home. He returned to Philadelphia on the twentieth of February, 1779, and as he had formerly been, so he was again, immediately engaged on the committees of Congress. This will be seen by reference to the Journal, from page 71 of the fifth volume, to page 124.

During Mr. Lee's absence, in the months of December and January, Congress had received very important communications from Arthur Lee, Esq. commissioner to the court of Madrid, in which he informed it of the views and disposition of his Catholic Majesty towards the United States. A memorial from the minister of France had been presented to Congress on the ninth of February, and a private audience had been given to him on the fifteenth. The letters of Arthur Lee, Esq. and the memorial of the French minister, had been referred

to a committee, who reported on the twenty-third instant, "That upon consideration of all the matters referred to them, they are of opinion, that his Catholic majesty is disposed to enter into an alliance with the United States of America: that he has manifested this disposition by a decisive declaration lately made to the Court of Great Britain. That in consequence of such declaration, the independence of the United States must be finally acknowledged by Great Britain; and that immediately thereon a negotiation for peace will be set on foot between the powers of France, Great Britain, and these United States, under the mediation of his Catholic Majesty; or that Spain will take part in the war, and his Catholic Majesty will unite his power with the most Christian King, and the United States." This committee also reported instructions which seemed proper to be given to our ministers, in the event of a negotiation for peace between the three powers. It divided the instructions into two heads. "1st. What to insist on as the ultimatum of these states." "2d. What to yield or require on terms of mutual exchange and compensation." The acknowledgment of the independence of the United States was to be a preliminary to all treaty. The next point to be insisted upon was the boundaries of the United States, according to certain limits. The third point was in these words; "That a right of fishing and curing fish, on the banks and coasts of the island of New Foundland, equally with the subjects of France and England, be reserved, acknowledged, and ratified to the subjects of the United States." The fourth was in these words: "That the navigation of the river Mississippi, as low down as the southern boundary of the United States, be acknowledged and ratified absolutely to the subjects of the United States."*

The two last clauses, the reader will perceive, brought into view subjects of vital importance; subjects which in '79, and in our own times, have occupied the atten-

* See the secret Journals, volume second, p. 132, &c.

tion of American politicians, and deeply interested the American people. Mr. Lee, as it will be seen from his votes in Congress, and from his correspondence with his cotemporaries in '79, viewed those subjects with the mind of a statesman, and legislated upon them in the spirit of a firm and enlightened policy. The interest of the east, the future grandeur of the west, had already dawned upon his vision. The interest and prosperity of both were alike the objects of his care.

The report of the committee was referred to a committee of the whole. After several days of debate upon it, the chairman of the committee, F. L. Lee, Esq. reported to the House several resolutions. On the twenty-second of March, the third resolution reported by the committee of the whole was taken up. It was in the following words : " that a common right in these states to fish on the coast, bays and banks of New Foundland, and the Gulf of St. Lawrence, coast of Labrador, and straits of Bellisle, be acknowledged, and in case of refusal, that the war be continued unless the circumstances of our allies be such as to render them entirely unable to assist in the prosecution of the war, in which case, as ample privileges in the fisheries be insisted on as can possibly be obtained : that in case Great Britain should not be prevailed on to cede or declare Nova Scotia independent, the privilege of curing fish on the shores and in the harbours of Nova Scotia be required."* In lieu of this clause Mr. G. Morris moved a substitute in the following words : " That an acknowledgment be made by Great Britain, of a common right in these states to fish on the coasts, bays and banks of Nova Scotia, the banks of New Foundland and Gulf of St. Lawrence, the coasts of Labrador and straits of Bellisle, *and a stipulation for the right of curing fish on the shores of Nova Scotia.* Provided always, that the allies of these states shall be in circumstances to support them in carrying on the war for such

* See secret Journal p. 137-8-9 and 140-1.

acknowledgment and *stipulation;* but that in no case, by any treaty of peace, the common right of fishing as above described be given up." This substitute was adopted and being under debate a motion was made by Mr. M. Smith, of Virginia, and seconded by Mr. Burke, of North Carolina, to strike out the words, "*and a stipulation for the right of curing fish on the shores of Nova Scotia,*" and also the words, "and *stipulation*" after the word "acknowledgment." The question, "shall they stand," was taken, and the ayes and nays were required. Mr. Lee was the only one of the Virginia delegation, and the only member of the middle and southern states who voted in the affirmative. The question was carried in the negative, and the words were omitted.

A motion was then made by Mr. Drayton, of South Carolina, seconded by Mr. G. Morris, of New-York, to strike out the words "Provided always, *that the allies of these states shall be in circumstances to support them in carrying on the war for such acknowledgment.*" On the question, shall these words stand? the yeas and nays were required by Mr. Drayton. Mr. Lee was the only member of the Virginia delegation, and, as on the preceding vote, the only member from the middle or southern states, who voted that these words *should not stand.* It was resolved that the words *should stand.* A division was then called for, and on the question to agree to the first part of the resolution as amended, *including the proviso,* being before the House, the yeas and nays were required by Mr. Ellery. Mr. Lee, again alone, of the members of the states just mentioned, voted against the amendment and proviso. The article, as amended, was agreed to; thus a stipulation respecting a right to *cure fish* on the shores of Nova Scotia, was not to be made an essential demand in a treaty of peace; and even the right *to fish* on the coasts, bays, and banks of Nova Scotia, &c. was not to be insisted on, *only in case our allies were in a situation to support us in forcing Great Britain to*

*acknowledge such a right in our citizens.** Such, however, were not the views of Mr. Lee. He considered that the acknowledgment of a right to fish, and a stipulation to cure fish on those shores, were essential to the interests and prosperity of the eastern and northern states, and he would have made both a *sine qua non* of a treaty. Such was the language of his votes just recorded. He is said to have powerfully advocated and enforced the justice and propriety that all the members of the confederacy should stand or fall, not only by the common independence, but by the interest of each one. He relied, too, for the acknowledgment of claims, on which he thought the wealth and greatness of the Union depended, more on the fortitude and valour of his countrymen, than on the ability and disposition of our allies. Hence he voted against the proviso of the article respecting the fisheries, which however was adopted.

On the twenty-fourth of March, Congress resumed the report of the committee of the whole; and the fourth article, as reported by it, was adopted. It was in these words: "That the navigation of the river Mississippi be acknowledged and ratified absolutely to these states." The reader will recollect that the navigation of this river, *only as low down* as the southern boundary of the United States, was made a demand by the select committee which reported on the twenty-third of February. While this article was under debate in the committee of the whole, Mr. Lee had enforced the policy of demanding and securing a free and entire navigation of that noble river. He seemed to have foreseen the growth of the western territory in population, and to have formed a just estimate of the importance of such a right to their future prosperity. He as earnestly and as steadfastly laboured to secure the interests of the west, as he had done to establish those of the north and east. For these he thought the southern states should struggle to the last, inasmuch as all had fought together for independence.

* See Jour. p. 140—5.

When the 4th article was under consideration, on the twenty-fourth instant, a motion was made by Mr. Burke, and seconded by Mr. Drayton, to add these words: "*Provided*, that the allies of the United States, shall declare themselves in circumstances to afford effectual assistance for carrying on the war, until such acknowledgment and ratification shall be obtained. On the question to agree to this amendment, the yeas and nays were required by Mr. Lee. Upon the question, Mr. Lee voted in the negative. He voted with a majority of his colleagues. Connecticut, Maryland, and South Carolina, were divided; while North Carolina and Georgia, *voted for the amendment.* New Hampshire, Massachusetts Bay, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, and Virginia, rejected the amendment. The question then recurred, to agree to the article as reported by the committee of the whole—and the yeas and nays were required by Mr. Lee. *He voted in the affirmative, and against the majority of his colleagues.* It redounds to its honour, that the *only state* which was willing to make the navigation of the Mississippi absolutely a *sine qua non* to treaty, was Pennsylvania. The 4th article was, therefore, rejected. Only eight members, among whom was Mr. Lee, voting in the affirmative on the main queston; viz. to agree to the 4th article, as reported by the committee of the whole.

On the same day on which the 4th article was rejected, Mr. Gerry moved, that the 3d article be reconsidered. The article was read as amended, and agreed to on the twenty-second. It was in these words, "That an acknowledgment be made by Great Britain, of a common right in these states, to fish on the coasts, bays, and banks of Nova Scotia, the Banks of Newfoundland, and Gulf of St. Lawrence, the coasts of Labrador, and Straits of Bellisle; *Provided* always, the allies of these states be in circumstances to support them in carrying on the war, for such acknowledgment, but that in no case, by any treaty of peace, the common right of fishing as above described, be given up." A motion was

made by Mr. Burke to strike out the words, between the words "to fish," and "provided," and in lieu thereof, to insert "on all and singular, the fishing banks to the eastward of the Island of Cape Breton, and of Nova Scotia, which by the treaties of Utrecht and Paris, were ceded to the king of Great Britain, to the exclusion of the subjects of France." A motion was made by Mr. Lee, and seconded by Mr. Burke, that the following words be received as a substitute for the whole of the 3d article, as it had been amended and adopted on the twenty-second instant, "That the right of fishing on the coasts and banks of North America, be reserved to the United States, as fully as they enjoyed the same when they were subject to the king of Great Britain, excepting always, what shall have been excepted by the treaty of Paris, between France and the United States; the whole to be explained by the treaties of Utrecht and Paris, with Great Britain, and of Paris, with the United States of North America." The question "shall this be received as a substitute," was put, and the yeas and nays were required by Mr. Gerry. The question was decided in the affirmative, and the substitute was adopted.

The following letters from Mr. Lee, were written, soon after the secret sittings of Congress, on the subjects just presented to the reader, while he was detained by ill health, at home. He had been compelled to leave Congress on the twenty-fourth of May. They will serve still further, to show his opinions on the subject of the fisheries, and the navigation of the Mississippi. He "could not think, they would be considered by posterity, friends to their country," who were willing to treat with Great Britain, without insisting firmly upon the acquisition of these rights, and having them placed on the same permanent foundations, on which stood the independence and sovereignty of the United States.

"CHANTILLY, August 7th, 1779.

My dear Sir—I had devoted this day, before the going out of the post, to have written to you a long let-

ter; but the great increase of my cold, has compelled me to a third bleeding, and has indisposed me so much that I shall be obliged to abridge this letter a good deal, I cannot fail to thank you for your favour of the twenty-fourth ultimo, which came to hand on the fourth instant. You will please observe, in my last letter, I foretell, that the party would not agree to publish Dr. Lee's vindication.* I know perfectly well, the principles on which these people act, so that, on most points, I would venture ten to one, on saying with certainty, how the set will vote. I am clearly of opinion, that if *Mr. "Clearly-out-of-order,"* remains much longer in Congress, the United States will have cause to rue it bitterly. I am sure, that I have heard more talk about order, and seen less attention to it, in one week in that Assembly, since he became a member, than in four years preceding his coming in. You suppose I will get the vindication from the fountain; I believe so too, sir, were it not for the vice . . . . . which is disseminated with the partners, in many parts of Virginia, and of France. A large packet came lately to me, robbed of its written papers, which, I can have no doubt, were in it; it was opened at one end, and directed in my brother's handwriting. Every delegate has a right to a copy; and can there be any impropriety (since the paper came directed to me) in a delegate furnishing me with a copy? As the public will, most inevitably, in time, be made acquainted with the proceedings of Congress in this affair, I wish

* This, and the following remarks, refer to Mr. A. Lee's vindication against the aspersions of Silas Deane, who had been a joint commissioner at the court of France, with Messrs. Franklin and A. Lee. Mr. Lee had detected him in committing frauds and peculations upon the United States. As Mr. Lee had foretold, so it happened: Deane fled to England, when ordered to settle his accounts. Mr. Lee vindicated himself so clearly against all his charges, that he was elected a delegate to Congress, by the legislature of his native state, subsequently to his publication in reply to Deane. He was, by that body, also, appointed a commissioner of the board of treasury, and a commissioner, to visit, and treat with, all the tribes of Indians on our western frontiers.

most earnestly, for the honour of many gentlemen now there, that the journal may distinguish properly. To this end, when "order clearly" obstructs not, cannot a motion for publishing be made, and the ayes and nays be taken on it? The same on the question of making Deane give security for settling full and fair accounts. And the same indeed, on all questions relating to this man. You alarm me exceedingly, when you say "I do not at this instant see a man, &c.;" can it be, that the late commissioner can escape with applause! I would not for a thousand worlds have my name to such a vote. Infamy will certainly attend it to the latest posterity. I will pledge my life on this.

I take Captain Duarte, of the Portuguese Snow, to be the captain and vessel carried to Boston by the privateer belonging to R. Morris and Carter Braxton. If so, and our Assembly are to determine any thing concerning it, it will be essentially necessary, that all the papers relative to the case, be sent to that body properly authenticated, and amongst others, Braxton's instructions to the captain of the privateer when he sailed on his cruise: I think this paper is among the Congress files. I shall thank you sir, for an authenticated copy of these instructions, as well as the resolve you allude to in your favour of the twenty-seventh. I am clearly of opinion with you, that if this affair is not properly adjusted in America, the injury to our cause in Europe, will be great; and, I believe, in my conscience, that some people, who hold their heads high in America, wish for this consequence.

If you (as I hope you do) still determine to honour Chantilly with your company as you travel to the south, I pray you, dear sir, to let me know two posts before you leave Philadelphia, that I may not be from home, for I should be extremely concerned were I to be absent on an event I wish so much should take place. I wish we may be so fortunate as to hear that the enemy have been compelled to abandon Georgia. If we meet with success in that quarter, surely our enemy will be compelled

to equitable terms of peace next winter. But I will never call the loss of the fisheries, and the navigation of the Mississippi, equitable. And I am sure posterity will execrate those who do. I am not well, and must conclude. With my best wishes for your health and happiness,

I am, my dear sir, your most affectionate friend, and obliged humble servant,

RICHARD HENRY LEE.

To the Hon. HENRY LAURENS."

"CHANTILLY, October 7th, 1779.

MY DEAR SIR—I congratulate you most sincerely on your safe arrival, and your return to your family and country. I hope you found the former in good health; the latter I am very sure will at all times be benefited by the assistance of so able a citizen, and the more so especially at this time, when the most important of all sublunary things is under consideration, the establishment of a government. Independently of the general principle of philanthropy, I feel myself interested in the establishment of a wise and free republican government in Massachusetts, where yet I hope to finish the remainder of my days. The hasty, unpersevering, aristocratic genius of the south suits not my disposition, and is inconsistent with my views of what must constitute social happiness and security.

It is not long since I received your favour of February 13th, from Paris. So far as immediate personal ease and happiness are the objects, it is beyond a doubt that the life of a private citizen is more desirable than any public character whatever, and especially such as carry us from home. But, my friend, we must consider that individual happiness flows from the general felicity ; and the security of the whole is the safety of particulars. What must become of the American cause and character. if her councils at home and abroad are to be filled and conducted by half *tories*, ambitious, avaricious and wicked men ? These considerations induce me to wish

that you would not give up the thoughts of public service; until our affairs are better settled. I wish with all my heart that the Chevalier De La Luzerne and Mr. De Marbois had originally come here. I do assure you, it would greatly have benefited the cause of the alliance and the United States. Such scenes of wicked intrigue as I never expected to take place in America, until the maturity of time and luxury with its consequent train of vices, had ripened us for destruction! You will no doubt be fully informed by others concerning the proceedings of a faction dangerous to our country, and very disgraceful also. October 13th, I had written thus far and stopped, having no opportunity of immediate conveyance, when my friends from Philadelphia, informed me of the crowning work of more than a year's intrigue, that malice was at last glutted to satiety. It seems the party were under the necessity of employing a proper man. I am well pleased to see even the wicked compelled to do right. I heartily wish you success in your negotiation, and that whilst you secure one valuable point for us, (the fisheries,) you will not the less exert your endeavours for another very essential object, the free navigation of the Mississippi, provided guilty Britain should remain in possession of the Floridas. I totally despair of this navigation from any other advocation. Before this reaches Boston you will have heard of the arrival of the Count D'Estaign on our coasts. Should fortune favour us with this aid, we may hope to remove our unprincipled enemies from New York and Rhode Island. If, to this, we could add Nova Scotia, we might be pretty indifferent about the future movements of Great Britain.

I shall be happy at all times to hear from you, and will in return furnish you with such intelligence as this part of the world produces.

With singular esteem and affection,
I am, dear sir, most sincerely yours,
RICHARD HENRY LEE.

To the Hon. JOHN ADAMS."

There are some opinions in the preceding letter, which, may perhaps, surprise the reader, when he recollects that Mr. Lee was a native of a southern state; at the time when this letter was written, the manners and customs of the wealthy inhabitants of the south, still exhibited in some degree, the pomp and luxury, which characterized them before the revolution. The distinctions in society were still marked. The unequal distribution of property tended to keep alive the pride of family, and a distance of manner towards the poorer part of the people. But causes, which it is unnecessary here to trace, have worked almost an entire change in these respects, and now plainness of manners, and a spirit of equality and freedom, distinguish the inhabitants of Virginia and of her sister states of the south, as republican communities. The legislature of Virginia, about the period of Mr. Lee's letter to Mr. Adams, had manifested too great a disposition, to rely on mere temporary expedients in the important internal concerns of the state; and an indisposition to provide by prompt, judicious and solid regulations, for its present security, and future prosperity. Mr. Lee, however, was well known to have been strongly attached to his native state, and to have enthusiastically admired many features of southern character.

While Mr. Lee was at home in the summer of '79, an incident occurred, which, as it tends to show the disinterested love of country, that prevailed among the American yeomanry during the revolution, cannot fail to be interesting.

The reader knows that in the year 1779, a treaty of alliance had been formed between France and the United States; and, that a fleet under the command of the Count D'Estaign, had arrived on the coast. In the early part of August, of that year, a French ship of war bearing despatches to Congress, and ordered to put in at Norfolk, in Virginia, was chased by some British ships, as far up the Potomac, as the county of Westmoreland. The name and character of Mr. Lee, were

previously known to the commander of the ship, or learned perhaps, from intercourse with the shore. So it was, that all the papers of importance were delivered to him by the commander, who, accompanied by the principal officers of the ship, waited on Mr. Lee. Upon a conference with them, he obtained sufficient information respecting the despatches, to perceive their great interest, and the propriety of as early a conveyance of them as possible to Congress. The danger of travelling directly towards Philadelphia, especially without some very apparent, or easily explained motive, was great. both along the roads in the interior of the states through which the traveller must pass, and along the roads on the coasts. The enemy's ships had possession of the Chesapeake Bay, and often came up the Potomac river as high as Alexandria.

Mr. Lee continuing too feeble to return to Philadelphia, was obliged to look for some person, whose courage and fidelity could be relied on, and whose intelligence and ingenuity would enable him to evade inquiries, and to take advantage of every means and opportunity of a safe and speedy arrival in Philadelphia. He was for some time in considerable difficulty, in fixing on a person in every point fitted for the trip. He, at first, endeavoured to find such a person among men of mature age. But, although he could find many whose love and fidelity to their country could be trusted, yet, they were in other respects, unqualified for the errand. He at length, recollected a young man* of his neighbourhood, about eighteen or nineteen years of age, whose adventurous spirit and intelligence, fitted him for any enterprise. The moment this youth occurred to his mind, he sent for him, and having by general remarks and inquiries, ascertained that he would undertake any thing for his country, he revealed to him the real service he required of him. The promptitude and

* His name was Bennet, who lived and died respected in Leesburg, Virginia.

pleasure which the youth evinced at the idea of serving his country, convinced Mr. Lee, that he had met with one in every respect suited to the occasion. Having instructed him to proceed with all possible despatch and secrecy to Philadelphia, and deliver the papers to the president of Congress alone, and having planned with him the route and manner of his journey, he sewed the papers in different parts of his dress, so as to render it imperceptible, that he had any thing about him.

The young man having always lived on the water-courses, was very skilful in the management of small vessels. He accordingly provided himself with a small boat, and in the dimness of twilight, without returning to his home, proceeded to the river, accompanied by Mr. Lee; and after receiving much encouragement and many warm commendations from him, he pushed off, alone. In this boat he passed a schooner and two tenders of the enemy, during the night, and as soon as the day dawned, he came ashore, and travelled on foot, avoiding as much as possible the public roads. He frequently lay in the woods, during the day, suffering severely from hunger and thirst, and travelled during the night. Having been a long time without any thing to eat, and finding himself near a small town at the head of the Chesapeake Bay, he determined about sunset to go into it and procure refreshment, at some obscure inn. Having found one in which he thought he might safely stop for a short time, he went in. While he was sitting in a room, adjoining a garden, four or five British seamen and marines came into the porch of the tavern, and putting down their guns, called for rum. After drinking some of it, two of them came into the room in which he was sitting, and began to question him, "whether he belonged to king George, or to the rebels?" He answered them in a collected and careless manner, and they, at length, returned to their comrades. As soon as they had left the room, he leaped from the window, and crossing the garden, without being observed, regained the road leading into the country, and travelled, as fast as

he could, during the night. He, at last, arrived safely in Philadelphia, just after Congress had assembled. Having been directed to the house in which it met, he found it sitting with closed doors. He assured the door-keeper, with much earnestness, that he had some business of great importance with the president, to whom alone he was instructed to communicate what it was. The door-keeper being struck with his manner, went in, and after some minutes, the president came out. The young man informed him of the circumstances under which he had been sent by Colonel Lee, and of his instruction to deliver the papers to the president of Congress. The president, after reading Mr. Lee's letter, and receiving all the papers mentioned in it, had him provided with comfortable lodgings. After the house adjourned, the president waited on him, and presented to him the thanks of Congress, and expressed a desire that he would accept a reward. He, however, declined all offers of the kind, requesting only money enough to enable him to return to Virginia. The following letter from Mr. Lovell, a member of Congress, to Mr. Lee, which is copied from the manuscript of Mr. Lovell, will confirm the above related anecdote. The author has more than once heard it from the person himself, whose veracity no one ever doubted.

"31st August, 1779.

DEAR SIR—Your favour of the twenty-second came yesterday to hand. Mr. Bennet parted from me on Saturday, *and will probably get home in less time than he came.*

I will attend, all in my power, to the subjects you have written about; but I am verily exceeding sick, confined to my chamber and my bed alternately. I have, in vain, dabbled with rhubarb; I go upon tartar-emetic to day. I was in bed yesterday, when I prepared a scrap for Dunlap's paper. I was unwilling to let a part of a day go over, without some continuance of the vouchers of Deane's infamy. Mr. John Adams on hearing of De

Vergennes and Mr. Arthur Lee, has sent me copies of his own correspondence with that minister, on the subject of Deane's publication; in the course of which he gives such testimony from personal knowledge, in regard to Arthur Lee, and his brothers, Richard and Francis, as cannot fail to destroy any evil impression made by Deane's publication; *and which must do honour to the manly, ingenuous spirit of the writer.* Whenever I dare, I will copy them. I must first translate the French, which is the full my present state of health will permit. This morning brings what I now send. I have not examined them. At the same time the Parliamentary Registers were sent. I thought it transgression enough to frank the present. I will send the others by the first opportunity.

Your's affectionately,

JAMES LOVELL."

CHAPTER X.

Mr. Lee was re-elected, in the Spring of the year 1780, a delegate from the county of Westmoreland, to the General Assembly of Virginia. He did not resume his seat in Congress, during this year, or during the two following years. The affairs of his native state required his services.

The enemy now turned his operations against the southern states, more particularly than he had yet done. The war upon the coasts of Virginia, was of a predatory kind, rather than a general and regular attack. The inhabitants living on the large rivers, were kept in a state of continual alarm and danger, by small fleets, from which the enemy landed troops, and pillaged the country. The county of Westmoreland was much exposed to these distressing incursions. Mr. Lee was, therefore, called upon by the state government, to take upon himself the discharge of the duties of his office of lieutenant of the county, in which character he had the command of all the militia of it. He accordingly, as promptly took upon him actual military duty, as he had undertaken the duties of a Senator. In his military capacity, he evinced his characteristic intelligence, judgment, and activity. He immediately called out the militia, and put it into a state of order and preparation. He had been, when a young man, fond of military life, and had made himself scientifically, and practically, acquainted with its duties. He had studied military science with great care and labour, with a view to render himself serviceable in the field, if the exigencies and wish of this country required him to act there. He now found it of great utility to him, in arranging and disciplining the militia. He appointed

stated days, on which, at different places in the county, the several divisions should be exercised. He was always present, at these times and places, and personally attended to the exercising of the men. He very soon established such discipline amongst the militia of his county, and inspired them with such spirit, that they were ready, at a moment's warning, to meet any danger, or to undergo any hardship. He selected places of defence, and situations for his camps, with so much judgment, that the county of Westmoreland was seldom visited by the enemy. Captain Graves, who commanded one or two schooners, and a number of tenders, had the entire possession of the river Potomac, and ravaged the counties upon its shores. He once observed, to a person whom he had taken prisoner from one of the lower counties of Virginia, "I never put my foot upon Westmoreland, that the militia are not upon me directly."

On one occasion, information was given to Mr. Lee, that one of the enemy's tenders had been driven in, and stranded, by a violent storm. He had reason to expect, that there would be, on board of it, arms and ammunition, of which he was in much want. He determined upon making an effort to take possession of it. He received intelligence that Graves' fleet had appeared in sight, and was making towards the point where the tender was lying. He immediately ordered out two small companies of militia, one of which, was armed with rifles. At the head of these, he marched to the river. On his arrival, he perceived that the enemy were preparing to regain their vessel, for two or three tenders (or barges) well manned, soon stood in for the shore. Mr. Lee placed his riflemen on the bank, directing them to conceal themselves behind the bushes and fences, and to reserve their fire until he should give them further orders. He then placed the other company on the beach, and took his station at their head. As the tenders approached, the enemy fired their long guns, the balls of which, generally struck in the bank, over the heads of the men. When they were near enough to be reached by small

arms, he directed his men to fire. He then returned to those whom he had stationed on the bank, and having ordered them to commence their fire, he hastened down to the beach; he had the mortification to find his men flying, and the enemy landing. They fired upon him, and his horse threw him within one hundred yards of them. He coolly re-mounted his horse, amidst their shot. Providence preserved him, unhurt. The enemy succeeded, at last, in towing off their tender, but did not attempt to ascend the bank.

Mr. Lee continued, during the year '81, with industry and vigilance, to protect his native county from the depredations of the enemy. He did not confine his exertions to the county of Westmoreland, but actively assisted in the defence of the whole of that section of the state, called "the Northern Neck." Some of the letters of General Weedon, (who commanded whatever regular army could be raised in Virginia) to be found amongst the Virginia correspondence accompanying this memoir, will give the reader an idea of the activity, judgment, and services of Mr. Lee, in his military capacity.

General Green, when on his way to take the command of the southern army, was introduced to Mr. Lee, by a letter from Dr. Shippen. Between General Green and Mr. Lee, there was a constant correspondence carried on, during the southern campaign. It is a matter of regret, that the letters of the former have all been lost, together with a great number of other valuable papers.

Mr. Lee attended the sittings of the General Assembly of Virginia, in the years '81 and '82, and took an active part in its business.

During these sessions, two subjects of great importance to the state, were frequently agitated. These were, the propriety and expediency of making depreciated paper money a tender for debts, which had been created, on the credit and faith of specie payment: and of impeding, and indeed, of confiscating debts due by citizens of the state, to British merchants, that had been contracted upon fair and mutual dealings before

the war. These subjects deeply interested the people; and it may well be imagined, that they would be divided in opinion respecting them. The politicians of the state, held different opinions, and discussed them with great warmth, both in and out of the Assembly. Indeed, the whole state was heated and agitated.

On the questions growing out of these subjects, in the legislature, Mr. Lee took a leading and animated part. He declared, that no questions which he had been called to consider, had created a deeper interest in his breast, and had raised so much concern for the honour and interests of his fellow citizens. His friend, Patrick Henry, and himself, were on opposite sides in every debate; Mr. Henry earnestly advising the adoption of these measures, and Mr. Lee as earnestly opposing them. He objected to them both, because, he said, he considered at least, such measures would be gross violations of honesty and good faith between men. He declared, that under no extremity or state necessity, would he consent to a legislative violation of these principles. He declared, that it would have been better to have remained "the honest slaves of Great Britain, than to become dishonest freemen." He eloquently urged, that no republic could exist, without virtue and honesty in the people, and warned his hearers of the danger of enacting laws, which should encourage the citizens to make light of the faith of contracts. On the subject of the tender-law, (which allowed a man to pay a debt of one hundred dollars, with paper money not worth one dollar) he pathetically pictured the ruin of the widow and orphan, whose whole fortune, perhaps, consisted in loans, which under this law, might be repaid "in rags and paper."

He also vehemently opposed the proposition to confiscate British debts, and that to impede the recovery of them. He declared, that the first proposition, under the circumstances of our case, would violate all principles of honesty and national honour. To the argument, that in the case of a revolution, necessity justified the

measure, he replied, that it would be a direct encouragement to the debtors in a community, to create revolutions; and, that it would be a matter of no consideration with them, that their debts were due to *foreign* creditors. The war was over; and the people ought, by industry, now that they were freemen, honestly to pay their debts. This would inculcate virtuous principles, which alone could secure their freedom.

Mr. Lee, very early after the peace, turned his attention to the propriety and to the consideration of the most expedient mode of funding the public debt of the state, and of providing as efficiently as possible for the support of public credit. To these concerns he gave profound and serious consideration, both in respect to his native state and to the confederation. He, with Mr. Henry, were advocates of a proposition to make every man contribute something to the support of the Christian religion, as the only sure basis of private and public morality.* Both these gentlemen were utterly opposed, however, to any established state religion. On the contrary, they were strenuous advocates of an entire freedom of religious belief. Mr. Lee's opinions on these and various other important and interesting political subjects, may be more fully and agreeably learned, from a perusal of his correspondence in the years 1784-5, than from any detailed statement which his biographer could make.

Mr. Lee was re-elected to the Virginia Assembly, in the spring of '83, and served throughout its session of that year.

During the winter of '83, intelligence reached America that provisional articles of peace had been signed at Paris, between our commissioners and those of Great Britain, in which the sovereignty and independence of the United States were acknowledged, and the right of the fisheries, and the free and entire navigation of the

* This is done in many of the eastern states, whose constitutions are as republican, or democratic, as those of any of the southern states; and where the most unfettered freedom of religious opinion exists.

Mississippi were ceded, to the full extent to which Mr. Lee had so strenuously advocated a claim, in the secret session of '79. To bring, in some degree, to the view of the reader, the estimation in which Mr. Lee's services were held by the patriots of those days, a letter from General Whipple is here inserted. The reader will find much evidence to the same effect, in the body of correspondence.

"PORTSMOUTH, (N. H.) 17th April, 1783.

My dear Sir—I cannot omit an opportunity that offers by a vessel bound to Virginia, to congratulate you on the happy event which, for many years, has been the great object of your labours and anxious cares. The very unequivocal part you, my dear friend, have taken, in this great revolution, must furnish your hours of retirement with the most pleasing reflections. Though the terms may not be, in all respects, exactly conformable to our wishes, they are, perhaps, equal to what we had a right to expect, all things considered.

My happiness is greatly increased by this joyous event, as it opens a prospect of seeing you here. I already anticipate the pleasure of recapitulating with you those private as well as public consultations, in which you took so eminent a part, and which have produced such happy effects.

This country, my dear sir, is very particularly obliged for your exertions to secure the most valuable branch of her trade, the fisheries. As a small token of my sense of the obligation, I must beg your acceptance of a quintal of fish, which, I think is of the best quality.

With very particular attachment, and the greatest respect, I am, my dear sir, your most affectionate friend and humble servant,

Wm. Whipple.

Hon. Richard Henry Lee."

In the spring of '84, Mr. Lee was again elected a member of the General Assembly, by the people of West-

moreland, who still clung to their long tried friend and servant with unabated confidence and attachment. He appeared in his seat in that body, and was by it again chosen a deputy to Congress.

Peace being established, Mr. Lee's services were no longer required in his native state. He therefore accepted the honour again conferred upon him, and took his seat in Congress on the first of November, 1784. On the thirtieth of that month, the chair of the presidency being vacant, he was elected president of Congress, the most honourable and important station under the American confederation. The Congress was in session the whole year 1785. Mr. Lee's health having been much improved, by the exercise of a more active life, during the last two or three years he continued in Congress, during the whole of that year, and with his wonted vigour and zeal, discharged the duties of his office. These duties were not confined to the sittings of the House, but concerned every department of the public business. Correspondence with all foreign ministers was conducted by the president of Congress. The author finds among the manuscripts of Mr. Lee, several diplomatic notes and other communications, between Mr. Lee and foreign ministers, which are fine specimens of the dignified diplomacy of the pristine age of the republic.

At the expiration of the presidential year, Mr. Lee returned to Virginia, from whence he had been absent twelve months. Upon his retirement from the chair of the president, it was *Resolved*, "that the thanks of Congress be presented to his excellency, Richard Henry Lee, for his able and faithful discharge of the duties of president, while acting in that important station."*

Mr. Lee was re-elected a member of the Virginia Assembly in the spring of '86, and served in its session. In the spring of the year '87, he was again elected to that Assembly, and while a member of it, was elected a deputy to Congress, of which body, he once more be-

* See Journals, November 4, 1785.

came an able and conspicuous member. He was one of the committe which penned and reported the famous "Ordinance for the government of the territory of the United States, north west of the river Ohio." By the fourth article of this instrument, "slavery and involuntary servitude, except in the punishment of crimes," is prohibited. The states formed under its provisions, are flourishing with a vigour and luxuriance, unexampled in any age or country.

Mr. Lee was present in Congress, from the ninth of July, '87, until the end of that year.

The delegates from the several states who had been appointed to amend the articles of the confederation, met early in the month of September of the year '87. Mr. Lee joined in the vote by which Congress submitted the plan of a new federal constitution to conventions of the people of the states. Mr. Lee was not a member of the convention in Virginia which discussed and finally adopted the present federal constitution. He was, however, a strenuous opponent of its adoption as it was reported to Congress by the convention at Philadelphia. He, as well as many of the ablest patriots of that day, thought they saw in it a consolidation of the political powers of the people of the United States, which would effectually destroy the independence of the state governments. The objections of Mr. Lee to the constitution, and his arguments in support of them, may be seen by the reader in eloquent and powerful detail, in his letters in the body of correspondence written during the years 1787, and 1788. The correspondence then maintained between the venerable S. Adams and Mr. Lee, is well worthy of the considerate perusal of every American statesman. It will command his profound attention, and will repay the lively interest which every citizen is disposed to take in the political writings of such distinguished statesmen, who lived in those times in which the present form of government was devised and adopted.

Although Mr. Lee opposed the adoption of the new

constitution as it was originally proposed, yet, he discountenanced by his example and advice all warmth and violence. He earnestly advised his friends and his fellow citizens, to consider and discuss its principles and provisions with candour, coolness, and temper. If the reason and judgment of the people should induce a majority to adopt it, he strongly dissuaded the minority from all intemperance of opposition, and advised them to resort to the method only provided by the constitution for its amendment. Entertaining the opinion that its tendency to consolidation was fatally strong, he fondly indulged the hope that such amendments would be recommended by the first Congress, as would in a great degree, if not entirely, counteract the danger which he so much dreaded. It is well known how entirely Mr. Henry coincided with him in his views on this most important subject. Hence, when the Assembly of Virginia was about to proceed to the election of senators from this state to the Senate of the United States, Mr. Henry nominated Mr. Lee and Mr. Grayson for this honour, in opposition to two other gentlemen, one of whom was Mr. Madison, the distinguished advocate of the constitution. Mr. Lee and Mr. Grayson were elected the first senators from Virginia, under the present general government.

Mr. Lee, very soon after he took his seat in the Senate of the United States, moved several amendments, the object of which was to provide effectual checks upon the powers of the general government, and strong and distinct guards to the sovereignty of the United States. The author has understood, that Mr. Lee first moved the tenth amendment, at present a part of the federal constitution. Had it been adopted as he moved it in the Senate, it would have formed a much more powerful guard to "state rights" than it now does. He proposed it in these words: "The powers not delegated by the constitution to the United States, nor prohibited by it to the states, are reserved to the states respectively." The reader will perceive the difference

between the proposed, and the adopted amendment. The author has heard that Mr. Ellsworth of Massachusetts, moved to add the words, "or to the people," which were adopted.

Mr. Lee served two sessions in the Senate, and maintained his reputation, as a statesman and an orator, unimpaired. Having done all in his power to lessen what he thought the dangers to be apprehended from the extensive powers delegated to the federal government, and being in a degree satisfied by the amendment to the constitution which he lived to see adopted, he became, and continued to the end of his life, a warm supporter of the administration of Washington. He approved of the course pursued by him in the case of Genet, and applauded his declaration of neutrality. Soon after the declaration was proclaimed, there was a meeting of several of the inhabitants of Fredericksburg, in Virginia, in which resolutions condemning this measure, and inimical in their tenour to Washington, were passed. Mr. Lee was, at the time he heard of these resolutions, at the residence of one of his sons, which was not far distant from Mount Vernon. He immediately wrote a long and friendly letter to General Washington, in which he denounced his enemies, and assured him of his approbation and support. To this letter, the last he ever wrote on political affairs, the father of his country returned a most affectionate reply. The letter of General Washington, and a copy of the letter of Mr. Lee, were for many years in the possession of his son. The author regrets their loss. They were highly valuable and interesting.

The enfeebled state of Mr. Lee's health forced him to resign his seat in the Senate of the United States, in the year 1792. The following vote of thanks to him, was moved in the Senate of Virginia, and was unanimously agreed to. It was, with equal unanimity, concurred in by the House of Delegates.

"October 22d, 1792.
In Senate.

Resolved unanimously, That the speaker be desired to convey to Richard Henry Lee, Esq. the respects of the Senate; that they sincerely sympathize with him in those infirmities which have deprived their country of his valuable services; and that they ardently wish he may, in his retirement, with uninterrupted happiness, close the evening of a life, in which he hath so conspicuously shone forth as a statesman and a patriot; that while mindful of his many exertions to promote the public interests, *they are particularly thankful for his conduct, as a member of the Legislature of the United States.*"

The following notes are the replies made by Mr. Lee to the Senate and House of Delegates.

"CHANTILLY, 5th November, 1792.

Sir—I have been duly honoured with the letter (and its enclosure) that you were pleased to write to me on the eighteenth October. I pray you, sir, to assure the honourable House of Delegates, that I feel the deepest sense of gratitude and obligation for the good opinion that they are pleased to entertain of my services, and for the condescending and obliging wish that they express for the future prospects of my life. I have ever thought, that the best reward for public service, is the approbation of our country; and surely examples like this are wisely fitted to encourage patriotic zeal, and to support the servants of the public, through the perplexing intricacies of political life. To you, sir, my thanks are particularly due, for the very polite and affectionate manner in which you have been so good as to convey to me the sense of the House.

I have the honour to be, with all possible respect, sir, your most obliged and most obedient servant,

Richard Henry Lee.

Honourable the Speaker of the
House of Delegates."

"CHANTILLY, 5th November, 1792.

SIR—I have received the letter you did me the honour to write to me, on the twenty-third of October, with the resolve enclosed therein. Be so good, sir, as to present my duty to the Senate, and assure that honourable body that I feel, as I ought to do, the highest sense of obligation, for the honour conferred upon me, by the manner in which they have been pleased to express their sense of my services, and for the obliging wish, they have expressed, for the future happiness of my life. I wish it may be the good fortune of those who follow me, to serve masters willing to crown their labours, by bestowing upon them a reward so respectable as I have been favoured with.

I thank you, sir, for the kind manner of conveying to me the sense of the Senate; and I remain, with the highest respect, sir, your most obedient and very humble servant,

RICHARD HENRY LEE.

Honourable the Speaker of the Senate."

Mr. Lee now finally retired from all public employments.

Having thus presented to view the public life and character of Mr. Lee, it remains for his biographer to relate such traits of his private life as may show, that he was justly entitled to that esteem and affection of his fellow citizens, of his family and friends, which accompanied him to his latest hour.

His early days were spent in a truly Spartan style. His mother, who was one of the high-toned aristocracy of the day, confined all her care and attention to her daughters and her eldest son, who was to be the head of the family, and gave up her younger sons, when boys, to be fed, in a great measure, by their own enterprise and exertions, without which, they might often have wanted the necessaries of life. To this circumstance may be attributed, in a great measure, that vigour of mind and body which they afterwards enjoyed.

Having finished his academical course of studies at Wakefield, in England, Mr. Lee travelled through that country, visited its great metropolis, and brought with him, to his native home, that refinement of manners which graced both the forum and the fireside.

Soon after his first marriage, (to gratify the wishes of his eldest brother, who was so fond of him that he would not consent that he should live far from him,) he was induced to reside in the county of Westmoreland; the situation was unhealthy, and the soil not rich; but being on a river, it possessed some compensating advantages. Here, by that active, intelligent, and persevering industry, for which he was so much distinguished, he was enabled to live in a style of comfort and independence equal to that of his more wealthy friends.*

His house was always filled with guests, whom the suavity of his manners, his frank and generous hospitality, his strong and instructive conversation, at once invited and pleased. To the neighbouring poor he was a friend, an instructor, their physician, and the arbiter of their differences. He imported, annually, a quantity of the best medicines, from the "Apothecary's Hall," in London, when he could do so, for their use; and administered it to them, with kindness and effect. It was, indeed, pleasing to witness, the affection and veneration with which they always approached him. A strong proof of the regard his neighbours and fellow citizens bore him, was shown by the fact, that he never lost an election in his native county. Hence he, at all times, triumphed with ease over every effort of calumny and envy to injure him; for, unfortunately for man, the purest virtue, and the greatest merit, never escape the attacks of bad men, governed by such passions. It may be remarked, too,

* He was very fond of the society of learned medical gentlemen, and his intercourse and correspondence with them, were not confined to his own country. Dr. Fothergill and others were his correspondents. See his letter, in the body of correspondence, to Dr. Blane, of England, thanking him for the present of his "Treatise on the Diseases of Seamen."

that he enjoyed, throughout a period of more than thirty years, the confidence and honours of his state.

But it was in the domestic circle, that the evenness and amiableness of his temper, his good sense, and industry, were most conspicuous. At an early period of their marriage, he lost his wife, who left him four young and infant children. The busy scenes of public life, in which he was then engaged, and the young and helpless state of his children, soon forced him to think of a second marriage. He succeeded in securing a partner for his after life, every way worthy of him. Although his patrimony was not great, and his public engagements were numerous, constant, and onerous, yet such were the ardent exertions of his ever-active mind, that he found means to send his two oldest sons to England, and to France, for their education, and supported his children who remained at home, with such equal and impartial fondness, as drew them together, by those strong cords of mutual affection, which never permitted them to feel the difference of parentage.

Although one of the kindest and fondest of parents, doing every thing to please and divert his children, yet he was ever rigid in exacting their performance of moral duties; and such was the power of his rebuke, and the influence of his parental authority and affection, that they never stood in need of bodily correction, to be made to feel their errors, and avoid them.*

The great esteem and affection with which he was

* The author has heard an anecdote related by a son of Mr. Lee, which will illustrate his character in this respect. He had entrusted one of his sons with a key, to give to a servant something that was wanted; he happened to be passing by the door of the room to which he had sent his son, and saw the servant coming out of it, with that, which he had not desired his son to let him have. He called his son to him, and in a mild, but serious manner, told him of the impropriety, on any occasion, of breaking the trust reposed in him; and impressed upon him, the consequences which would follow, from allowing himself to do so, upon any account. The boy went into the house crying, and when asked by his mother, "what was the matter," he replied, "my father has been talking to me *about consequences.*"

regarded by his brothers, were shown by two of them, who died, without children, bequeathing to his sons, their large estates, almost entire.

A long and laborious course of public life, had gradually enfeebled a vigorous constitution; and the gout, which he alone, of all his family, was subject to, by making its most violent attacks on the abdominal viscera, extremely debilitated his body; yet his mind never lost its vigour. For at least ten years labouring under its pernicious effects, he continued his public services, and his private exertions. It was a peculiar trait of his character, that when once his mind sought information upon any subject, he never relinquished the pursuit, until he had perfectly satisfied his mind respecting it. Guided by these principles, he read and studied every medical author, who treated of the disease with which he was afflicted, and discovered a remedy, that, for many years preserved his own life, and has been the means, under God, of relieving others.* But human efforts must have their termination. The dire disease, against which he had so long and skilfully contended, was destined to put an end to his virtuous and useful life.

He had retired from public service, with the thanks and applause of his fellow citizens, and for two years, passed his time in the bosom of his family, by whom he was almost idolized. Although no longer engaged in her service, his mind always dwelt on the freedom, the honour, and happiness of his beloved country. The events of the French revolution, and the principles of its leaders, had become subjects of anxious consideration to his mind. The dawn of that revolution he had heartily

* The late General Henry Lee, who was a member, with him, when Congress sat in New York, related an anecdote of a gentleman of that state, who came to the city, for relief against chronic diarrhœa General Lee saw him about to leave the city, in despair —all medical aid had failed. He advised him to see, and introduced him to Mr Lee, who gave him his recipe. In a short time after, General Lee saw the gentleman on his way home, quite well, who ascribed his recovery entirely to Mr. Lee's advice.

cheered; but its day had become, to his vision, overcast with portentous clouds. What his prophetic mind then foretold, history can now prove true; and often was he heard to mourn, lest the phrenzy of France, which seemed ready to overturn all the fixed principles of liberty, religion, and virtue, might, in a fatal degree, reach his native land, where he had trusted these salutary principles were destined to be permanent.

For six months before his death, Mr. Lee was almost entirely confined to his house. He saw his end approaching, and through faith in the merits of the Redeemer, viewed it with tranquil firmness. He had well fulfilled all the duties of life. As a patriot, as a friend to the liberty of mankind, as a parent, friend, and neighbour, he, like the younger Cato, whose character he much resembled, could say, "let guilt or fear disturb man's conscience, Cato knows neither of them;" and that "nature, worn out with care, sunk down to rest." It was the rest, prepared for those, whose virtues the great Parent of good, has approved; and which will be enjoyed by all, who devote their lives to the happiness of their fellow men, and to the duties they owe to their saving God.

Mr. Lee had early studied the evidences of the Christian religion, and had, through life, avowed his belief in its divine origin. He admired the perfection of its morality, and the sublimity of its peculiar theology. He was a member of the Episcopal Church; and although a hearty friend to all who professed the Gospel, he was strongly attached to the Church to which he belonged. The author found amongst his manuscripts, two votes passed by the two first meetings of the general convention of that Church, in the United States, in which their thanks are returned to Mr. Lee, for the interest he had taken in its prosperity.

Let not the infidel say, that Mr. Lee's assent to the truths of Christianity, was given in the twilight of his reason, and proclaimed at the approach of death. In the vigour of his mind, amid the honours of the world

and its enjoyment, he had declared his belief, in Jesus Christ, as the saviour of men! For many years of his life, he had partaken, in public, of the emblems of that propitiatory atonement, which he made upon the cross, "for the sin of the world."

The eloquent Erskine has truly said, after reviewing a glorious list of believers in Christianity, "Thus we find all that is great, or wise, or splendid, or illustrious, amongst created beings, all the minds gifted beyond ordinary nature, if not inspired by their Universal Author, for the advancement and dignity of the world, though divided by distant ages, and by the clashing opinions distinguishing them from one another, yet joining, as it were, in one sublime chorus, to celebrate the truths of Christianity, and laying upon its holy altars, the never-fading fruits of their immortal wisdom." To that list may be added the name of Richard Henry Lee.

Mr. Lee breathed his last, on the 19th day of June, in the year 1794, at his seat, Chantilly, in the county of Westmoreland, in the sixty-fourth year of his age; a few weeks before the celebration of the day, on which, his eloquent tongue, and intrepid mind, had given birth to the independence of his country!

It is a subject of regret, that no genuine specimen of the eloquence of Mr. Lee, remains. The author has not had the good fortune to enjoy the acquaintance of any of his cotemporaries, from whom he could obtain a sketch of the principal traits of his oratory.

Mr. Lee possessed all the qualifications necessary to a finished orator. His person was tall and well proportioned. The features of his face were bold and striking; and were always, particularly in debate, and conversation, irradiated by an eye, pouring intelligence over them. His gesture was elegant, and admirably appropriate, resulting from a nature, ardent, honest, and sincere. His voice was clear and melodious, and was modulated by the feeling that swayed his bosom. His elocution was dignified, animated, and impressive. His whole manner was fervid, manly, and commanding.

His style was pure and classic, adorned by brilliant periods, by the happiest classical allusions, by the richest truths of ethics, and by figures, which *pictured* the resemblance of the originals. It was distinguished by a "nervous brevity," or splendid amplification, as the auditory, the subject, and the occasion required. One who was well qualified to judge, has said of Mr. Lee, "He was indisputably a *graceful* orator, but his elegance was *natural*. His mind had treasures of various knowledge, to which he could readily resort; but, on occasions of importance, he studiously prepared himself for debate. He well knew, how and when to be diffuse and copious: but strength and conciseness were the characteristics of his eloquence. Dr. Rush said of him, "I never knew so great an orator, whose speeches were so short. Indeed, I might almost say, that he *could not* speak long. He conceived his subject so clearly, and presented it so immediately to his hearers, that there appeared nothing more to be said about it. He did not use figures to ornament discourse, but made them the vehicles of argument."*

Mr. Lee was considered an accomplished scholar. He was acquainted with the Latin, Greek, and French languages; and was familiar with the beauties of all the classic authors in prose and verse, in those tongues, and

* Dr Rush used to repeat a sentence, as illustrative of the conciseness of Mr. Lee's eloquence, and the force of his figures. The laws which had been passed, in some of the states, making paper money a tender for the payment of debts, were the subject of consideration in Congress. Mr. Lee had warmly opposed them, on all occasions. The idea of getting rid of debts, in so easy a manner, was plausible and captivating to some financiers; but to the mind of a sound statesman, no scheme seemed more delusive and injurious to the real good of a community. Some member had advocated these laws on the first opening of the subject, and seemed, in a speech just delivered, to be more and more wedded to the scheme, even after all its consequences had been shown. In answer to him, Mr. Lee begun, says the Doctor, thus, "Mr. Speaker—I did not wonder that the honourable gentleman was pleased with this scheme, *when in the bud;* but I am astonished that he grasps *at the full blown iniquity.*"

recurred to them with ease and taste. He had studied the writers of established reputation on the various branches of science and literature. He was extensively acquainted with history, and with all the various subjects necessary to form a great and useful statesman. The sketch which has been drawn of his person and oratory, by the hand of a master, is no less true than beautiful. "His face was on the Roman model; his nose Cæsarean; the port and carriage of his head, leaning persuasively and gracefully forward; and the whole contour, noble and fine. He had studied the classics, in the true spirit of criticism. His taste had that delicate touch, which seized with intuitive certainty, every beauty of an author, and his genius, that native affinity, which combined them without an effort. Into every walk of literature and science, he had carried this mind of exquisite selection, and brought it back to the business of life, crowned with every light of learning, and decked with every wreath that all the muses, and all the graces, could entwine. Nor did these light decorations constitute the whole value of its freight. He possessed a rich store of historical and political knowledge, with an activity of observation, and a certainty of judgment, which turned that knowledge to the very best account. He was not a lawyer by profession, but he understood thoroughly the constitution, both of the mother country and of her colonies; and the elements also of the civil and municipal law. Thus, while his eloquence was free from those stiff and technical restraints, which the habits of forensic speaking are so apt to generate, he had all the legal learning which is necessary to a statesman. He reasoned well, and declaimed freely and splendidly. The note of his voice was deep and melodious. It was the canorous voice of Cicero. He had lost the use of one of his hands, which he kept constantly covered with a black silk bandage, neatly fitted to the palm of his hand, but leaving his thumb free; yet, notwithstanding this disadvantage, his gesture was so graceful and highly finished, that it is said he had acquired it by practising before a

mirror.* Such was his promptitude, that he required no preparation for debate. He was ready for any subject, as soon as it was announced; and his speech was so copious, so rich, so mellifluous, set off with such bewitching cadence of voice, and such captivating grace of action, that while you listened to him, you desired to hear nothing superior, and indeed thought him perfect. He had a quick sensibility, and a fervid imagination."†

Mr. Lee's character as a politician, was strongly marked. "His earliest impressions were in favour of the most disinterested mode of serving the public." As rigidly honest and upright in public, as he was in private life, he never felt, and never admitted the truth of the ancient remark, so often quoted, "in rebus politicis, nihil simplex, nihil apertum, nihil honestum;" and he never failed to censure with the most pointed disapprobation, any act which could be thus characterized, even in his best friends, and firmest political associates. It was a maxim with him, which he frequently quoted as invariably true, that "honesty is the best policy." Hence he argued, that it formed no excuse for a national breach of positive engagements, that the other party has failed in the fulfilment of theirs, "for said he, the cause of honesty and virtue, when supported with firmness, will always triumph over vice and bad faith." This was the principle and tenour of his arguments on the subjects, of the payment of the British debts, and the surrender of the posts on the lakes, as stipulated by the treaty of peace between Great Britain, and the United States, in 1783.

Of Mr. Lee, it may most truly be said, that the love of his country, was "the ruling passion" of his soul. This principle guided his research into history, cheered

* This was said to give an idea of his gracefulness; not that it was a fact.

† William Wirt, Esq. in his "Life of Patrick Henry," pp. 49, 50. In the above extract, points of comparison with other orators, are omitted.

and relieved his labours, and gave activity to all his energies.

The character of Mr. Lee will be contemplated with admiration by his countrymen. It adorned the infancy of the republic; and will, perhaps, cast a light and glory on the maturity of its splendid destiny!

APPENDIX.

NUMBER I.

My dear brother's favours all reached me in due time, at Bristol Wells, where I was spending the summer season, to look about me and form acquaintances, which may be useful hereafter. The ensuing winter I mean to spend in Bath, where I now am; a place to which Dr. Fothergill advised me, and where I expect his patronage. Your packet for Lord Shelburne, I shall deliver myself in a few days, at his country seat, about twenty miles off, where I am to spend a week. I have not been in London since Johnston's arrival, and as Dr. Fothergill is probably in the country I reserve your letter to him also to deliver myself, as I shall be in town soon.

My last letter from our brother F. of the 14th of June, made me exceedingly unhappy, as it brought an account of the dreadful accident which befell you about that time. I flatter myself that long before you receive this, you will have received entire relief from the effects of that misfortune, and I cannot now help chiding you, for being so very careless of a life on which the happiness of so many depend; the horses were notoriously vicious, and the dastardly temper of the negroes you well know. How then could you trust yourself so absolutely in their power as to injure yourself and afflict us? For heaven's sake, remember, that you are accountable to your country, and to those who love you, for your personal safety, which cannot be injured without very great detriment and disquietude to them. Heaven shield you from such disasters for the future, and grant you for the great share of misery you have already suffered, an uninterrupted series of prosperity and health. I may now I hope congratulate you on your marriage with Mrs. Pinkard; the small acquaintance I had with her gives me great reason to believe, she will make you happy; and I most ardently pray that her goodness may prevent both you and the poor little

ones who survive, from feeling the loss of the tender and amiable wife and mother that is gone.

The resolution into which you have entered, and which I perceive South Carolina has adopted, are in the highest degree laudable, and you may depend upon it will work your salvation. The ministry thinking it vain to contend against such virtue as they are now convinced animates America, are at present certainly disposed to conciliatory measures. But they are far from being yet brought to a due sense of what in justice they owe to the constitutional rights of the colonies. You have commenced those measures which tend to their conviction, and I make no question you will persevere, till that important purpose is fully accomplished. The intent of the monitors I sent you being entirely fulfilled, I do not ask what you did with those I sent you, though I have seen nothing of them in the papers.

The state of politics at present is, as appears to me, exceedingly complex. As far as I can unravel them, they consist of the court party, the opposition, and the constitutionalists. The Lords Holland and Bute, the Dukes of Bedford and Grafton, form the court party; Lords Temple, Chatham, and Mr. Grenville, with Rockingham, compose the opposition; and my Lord Shelburne heads the constitutionalists. The last party are the promoters of petitions, as the most proper method of informing the people of the constitutional power they possess, and of rousing them against the arbitrary measures of the court. The opposition, desirous of changing men only and not measures, are for determining the matter by the representative body by intrigue and influence. The constitutionalists are for appealing to the people at large, and effecting a change of measures, as well as of men. Mr. Wilkes, and all of his party that are honest, with Beckford, Townsend, Sawbridge, Mrs. Macauley, &c. are what I call constitutionalists. Of the political writers Junius only deserves reading, and his talents are certainly great. I cannot but think that my Lord Shelburne's abilities and virtue will force him again into power; though they render him exceedingly unwelcome at court, where such qualities are not in estimation. Happily for the liberties of this country, the court party are at variance among themselves; could they agree, I do not see what would prevent them, with a corrupt House of Commons, vast influence from places and money, with a powerful army, from absolutely subverting the constitution. But Bute possesses the ear, Bedford the parliamentary power; Grafton was the representative of the former, but the latter ever jealous and ambitious, has contrived to

gain the duke over by marriage. This, in all human probability, was the cause of Lord Bute's precipitate return, being alarmed, least in consequence of that connexion, Grafton should betray him, and uniting with Bedford, enable him to do what he has long wished, exclude his lordship from all influence in administration. When Peachum and Locket quarrel, they bring each other nearly to the gallows. Would to heaven, these political villains may be more irreconcilable in their anger. I am now at my Lord Shelburne's, where I have the pleasure of seeing perfect domestic happiness. Lady Shelburne is a pattern of every thing that is amiable and good; and her lord seems perfectly worthy of so valuable a wife. Much reading has produced in me the effect of age, in which confidence in political professions is slowly granted; and therefore highly as I esteem this lord, I do not implicitly confide in him. Yet, if he does not support the genuine cause of liberty and continue firm in constitutional principles, I do not believe there is a single man of eminence who will vindicate the violated rights of the people. A temporary support many will give, but an opposition grounded on true principles, and steadily pursued, I expect from him only. God send he may answer my expectations; if not, *actum est de libertate*. I am not so desperate with regard to America; the spirit of liberty seems now so truly and universally diffused, that I do not think it possible to suppress it; and therefore I look forward with infinite pleasure to that spirit, as the surest nurse of British constitutional liberty. I some time since sent enclosed to Mr. Parker and you, the proceedings respecting the Mississippi company. Nothing certain is to be expected from this ministry: when it is changed, I shall not fail to resume the solicitation.

I beg you will give my most cordial thanks to all those of my acquaintance, who have distinguished themselves in the resolution of not consuming British manufactures, and of maintaining firmly their constitutional rights. As a friend to freedom, I esteem myself infinitely obliged to every one who supports it.

My inviolable regard awaits you and yours. Adieu.

ARTHUR LEE.

P. S. Pray, remember me to our brother Thomas; I never hear of or from him, which I very much regret. My best wishes attend Belvieu.

August 15th, 1769.

BATH, November 15th, 1769.

My dear Brother—It appears to me a very long time since I had the pleasure of hearing from you. In the mean time I please myself with supposing you, with the rest of America, are working your own salvation by frugality and industry. Pertinent to this are your questions to our brother William, concerning the glass manufactory: in which, I am sorry to inform you, no satisfactory information can be obtained. Much care is taken at Bristol to provide against the loss of workmen; they are, therefore, articled for a certain time, and their wages artfully advanced, so as to keep them constantly in arrear, and thence in bondage. A very few only are entrusted with the secret of the materials, and their proportions. I wrote to a merchant of Bristol, immediately on my brother's receiving yours, for more precise information; but he has never answered me, probably through some jealousy in himself, or an apprehension of it in others. Newcastle would be the best place, I apprehend, not only to make inquiries without suspicion, but to apply for workmen. *Aerici persevere*, must be the motto of America. The people here do not yet complain much of the want of trade arising from the stoppage of American exports; but, by persevering, they will feel, and then will infallibly complain. What the ministry will do in the perturbed state of the empire, both at home and abroad, it is difficult to say; what they wish to do, is more easily imagined. Great, certainly, is the struggle between their arbitrary inclinations, and their fears to execute them.

The Mississippi affair rests entirely, and must do so, till the ministry are removed; whenever that happens, the company may be assured that I will resume the business, without any farther expense to them. Our brother William forgot to bring over a minute of the company's resolution, appointing me agent; so that had my credentials been required, nothing could have been done. Happily they were not; but to provide against it for the future, I could wish you and Mr. Parker would send me such credentials as you may think proper. Please to remember me to that gentleman, and tell him I hope every patriotic scheme succeeds, and that we shall see him in the next list of the House of Burgesses, in J. R—ph's place. I wish things were reversed, and this tool of power were his deputy. Your governor is becoming very popular, as we are told here, and I have the worst proof of it in the increased orders for fineries from the ladies, at this time of general distress in their families. Either our countrywomen

are misrepresented by the merchants' wives, or they are growing deplorably extravagant. If his excellency introduces such a spirit, I am sure his popularity will be ill founded. Wilkes's suit with Lord Halifax is at length determined, with £4000 damages, which it was provided in court the treasury was to pay. Inadequate as these would, in any case, have been, the manner in which they are to be paid, prevents them from being exemplary; since no minister will be deterred from repeating this injury by a fine which he is not to pay. Our houses, liberties, and most interesting secrets, are thus at the mercy of any minister who will pay this sum out of the treasury, which, with the present furniture of St. Stephen's chapel, he might do to-morrow without danger of impeachment. Yet there are many men so wicked or so weak, as to deny that the constitution is in danger. There are men who will never believe their houses are near the flames, till they are on fire; so long as they walk free, they care not who is illegally imprisoned. The Parliament will probably meet about the middle of January; it will be an important session, but I believe attended with no farther good, than convincing the people their complaints are just, and their desire of a dissolution perfectly proper. I am extremely well with Lord S——e, the lord mayor, the sheriffs, Mr. Wilkes, Horne, Macauley, Belles, &c.; the two first and the last are those only of whose principles I have a good opinion; but I am so sensible of my own deficiency in judgment, that, while I act in the integrity of my heart, I do not suffer my suspicions to influence my actions. I dine frequently in the King's Bench, where I meet the declared patriots; of whom I shall be satisfied, if we find one Sidney in twelve elect. The city of London is, however, in our possession, and will support the character it has always maintained, of standing foremost and firm in opposition to arbitrary power. It is a chance whether you ever meet with a series of letters signed Junius Americanus, in which the enemies of America are chiefly attacked; though, to make what was written in defence of the colonies acceptable, it was necessary to give now and then a stroke to the characters obnoxious here. It is desirable to make a signature popular, when that is effected, I shall be able to write for America under it with success, which it is otherwise extremely difficult to accomplish. Send copies of Parker's edition of the Farmer's Letters to Lord Shelburne, Mrs. Macauley, and Colonel Barre. Farewell.

ARTHUR LEE.

A very ill timed fever, my dear sir, confining me to my bed and room for some days past, has for the present marred my Mississippi and political operations. Of the former, therefore, I can say nothing more, than what the enclosed, written a week since, contains; of politics little certain can be said, for no one yet knows, what the Parliament, which meets to-morrow, will determine. The ministry are entirely Bedfordian, neither much in confidence of the landed or mercantile part of the nation, but they are of Lord Bute's complexion, and have therefore the royal ear and protection. Grafton is the premier, profligate, arbitrary and contemptible; Weymouth, abandoned to gaming and drinking, totally involved, but extremely clever; North, Gower, and Bristol, nothing; Hillsborough or Pownall, arbitrary, opinionated, subtle, and severe: of these the present council are formed, without one speaker or advocate in the House of Commons. All parties will, it is probable, be opposed to them, but virtue and real patriotism are so little the objects of pursuit to any party, that it is rather a scuffle who shall enjoy the power and wealth of office, than who shall administer peace and welfare to the nation. This being the case, the sovereign will always turn the scale, since such ministers can never acquire the confidence of the nation, so as to be independent of court influence; this makes me apprehend that the present ministry, as being certainly that of the favourite, though he be now abroad, will stand, and they are, to all intents and purposes, enemies to America. They delude us here with talking of conciliating measures, but it is only to try once more the effect of art and management, in disuniting the colonies, while it is evident they are collecting a great force at Boston, to crush, as they fondly flatter themselves, the head of opposition at one blow; from the perseverence of your colony much is feared, and greatly is it expected, that the address, powers, and beguiling splendor of his excellency, will detach it from the cause of liberty, obtain a vote subversive of your former resolves, and acknowledging your promptitude to bend the servile knee, and fawning take the splendid robbers' boon. Severe will be the trial, but more exemplary, therefore, the virtue that triumphs over it; alas! I fear it will not be found, where meanness and servility are already to prevalent among the little great people of your colony: yet on the issue of this essay must I hereafter glory in being a Virginian, or hide my head when it is mentioned. Subtlety and arbitrariness being the characteristics of the present ministry, great prudence, caution and management, will be requisite to frustrate their measures, or elude their revenge.

You may be assured, if they stand this session, and their present policy succeeds not in America, the first step to enforcement, will be the seizing and executing the patriotic leaders; in your conduct therefore let me recommend an attention to the conduct of the first prince of Orange, which saved him from an ignominious death, and effectually vindicated the liberties of his country, while the incaution of his associates made them victims to the bloody and revengeful purposes of the tyrant they opposed. Our first duty is to our country unquestionably, and her dearest right is liberty; but if this be not the sense of the people, if there is no prospect of opposing tyrannous measures with success, 'twere better wait the favourable moment, since once engaged, success, eternal enmity, or death, must be the issue. Cato, Brutus, and Cassius, did not precipitately undertake a hopeless cause, but they made a glorious and dreadful struggle, that failing, death was the only worthy end of such a beginning. O how my soul swells with the great idea, methinks I could smile in the very pangs of death, and pity the insulting tyrant. Should such a trial come, and my weak flesh shrink from the nobler purposes of my soul, to what contempt it would reduce me. Inured to war and death, habit had steeled their bodies, and made them equal to the achievement of every daring resolution; happy had I been bred a soldier, or these trying times had not arrived in my day. These are reflections which I cannot avoid, though they leave stings behind them; the very doubt of bearing unmoved the utmost efforts of afflicting power, and telling the tyrant or his minion to the last, I scorned him, is to me grievous.

I have not sent you the Museum Rusticum, because it is certainly too dear for its usefulness; and another publication is daily expected, which perhaps may be preferable. I reserve Tissot, till I have leisure to read him, and make some annotations for you. There is a book, some time since published, called a Handmaid to the Arts, which should be useful to you; if I think so upon examining, it shall be sent. The Court Register will be published the 28th of this month, therefore I hardly think it worth while sending the old one now. I know of nothing else worth your attention.

October 9th. The great debate is passed, administration has carried her point, forcing by the sword, over the colonies, those laws which reason and justice cannot support or establish. Dreadful idea, that even suggested in a free house, ought to have excited indignation and abhorrence. To the king's speech, containing an account of America, being in an alienated state of allegiance and submission to law;

and one part, namely Boston, in the verge of rebellion through the agency of some seditious persons. An address was moved for by Lord Henly, Lord Northington's son, approving the steps which had been taken by the King in America, and promising him support. This was seconded by Mr. Stanley, who said the late acts were intended to bring this contest of right to an issue; that the troops had been drawn together in America, to enforce it with more facility, and had now commenced the operation in Boston. Mr. Dowdswall, late chancellor of the exchequer, moved for an amendment, using milder terms towards the Americans, and not expressing any approbation of ministerial measures. Lord Clare, and Lord North, supported the former, with heavy, if not unwarrantable charges, against the people of Boston, and high ideas of absolute power. The amendment was then supported by Sir G. Seville, but not on American principles. Mr. Burke next entered more largely, and with more masterly eloquence into the transactions of Governor Bernard and the administration. He showed, the present disturbances arose from a concerted plan, and intentional injuries offered the people of Boston; that the right of taxing, and the laws founded on it, were repugnant to the feelings of America, which never could be overcome; he insisted, that the requiring the Assembly of Boston, to rescind a vote, under penalty, was absolutely illegal and unconstitutional; that sending soldiers there and demanding provision for them, was directly repugnant to the act of Parliament, which directs that provision to be made by the Assembly. Mr. Grenville then advised unanimously supporting the measures of administration in subduing the colonies; he praised his S. A. talked much about himself, and condemned the minister's mandate for rescinding, as totally illegal. Colonel Barre next spoke with great judgment, upon the question in favour of the amendment; he questioned the right, disapproved the measures, and demonstrated that they were urging a quarrel with their colonies, from an ill grounded jealousy, when the state of Europe made harmony absolutely requisite to our preservation. Mr. Wedderburn then pointed out with great justice, that government, both at home and abroad, was executed by files of musketeers; that laws were obeyed not from a respect and confidence in the people for the legislature and government, but from terror; a dreadful state existed by some unhappy defect in the executive part, which threatened our ruin; he declared against the legality of the ministerial mandate at Boston. Many others spoke on both sides, but the ministry carried it without a division.

All this I consider as done in heat, and hope better information and more dispassionate deliberation, will produce the conciliating measures of recalling Bernard, and repealing the duty acts; should this not be done, I apprehend that the present establishment of the military in America, will prevent any armed opposition to the measures of administration; but I conceive the Americans will endeavour by those means, of not consuming British manufactures, which are absolutely in their power, to bring this ungrateful country to a better sense of their usefulness to her, and how vain the attempt is to rule by force, a free people.

Mr. Burke asserted, that Chatham and Camden, had both acted towards America inconsistently with those principles; which, coming from such great authorities, had confirmed the colonists in their opinion, the Parliament having no right to tax them.

God knows whether this will be suffered to reach you; for the administration are determined to sacrifice the most active in the American cause, and may probably stop letters.

Yours, &c.

ARTHUR LEE.

The author has here added some letters written to Arthur Lee, by some of his English friends, who were distinguished men of their day.

The following letter is from Lord Cardross, afterwards Lord Buchan, a well known friend of America, who made General Washington, a present of a snuff-box, from the wood of the tree, which sheltered Wallace, the Scotch hero.

WALCOT, near Bath, Oct. 31, 1769.

My dear Sir—I should be very happy to be entrusted with the welfare of Virginia, and I am sure, I should pass my time most agreeably among you; but I am afraid I love you all too well, to have that charge committed to me at present, after what has passed; not that I think any plan is likely to be adopted, of a disagreeable tendency, but that my avowed sentiments, with respect to my countrymen on the other side of the Atlantic, might be thought too strongly favourable to certain demands which may be made. There remains another obstacle, and that is, as my father is, I am sorry to say, in a very precarious state of health; it would seem odd for an Earl, according to the ideas of this country, to be deputy to Sir Jeffery Amherst.

I told you, that I had my eye on Turin, but I had much rather be with you, I assure you; and if any opening should happen, by the death or resignation of Fauquier, I don't know but I may make an essay, to your satisfaction. In the mean time, I think myself very happy in having one there so partial to me, as you are, and who will never mention my name, without saying, that I am a friend to liberty and to the friendless.

I ever am, dear Sir,
With great esteem,
Your most obliged and obt. servant,
CARDROSS.

P. S. Governor Dinwiddie asks after you, with regard; he is not well at present.

Pray remember the Museum at Edinburgh, which I espouse at present, and send me some of your country productions.

The following letter is from John Wilkes; it is here inserted, as relating to the politics of the times, and as curious, because its author connected his name, with the political history of England. Of Wilkes, Chatham declaimed, and Junius wrote. The "little incident" of which Mr. Wilkes speaks, was the loss of the papers of Arthur Lee, then accredited American commissioner at the court of Berlin. Shortly after Mr. Lee's arrival at Berlin, his trunk was broken open, and his papers taken out; upon Mr. Lee's complaining to the Prussian ministry, the papers were returned to Mr. Lee, by an unknown person. It was well ascertained afterwards, that his papers had been taken away, by the procuring of Mr. Liston, the English minister at Berlin. Upon this occasion Frederick the Great himself, wrote a note to Mr. Lee, complimenting his country and its representative. Wilkes' and Junius' dislike to the Scottish politicians, is well known.

PRINCE'S COURT, November 9th, 1777.

I was made extremely happy, my Dear Sir, by the most friendly letter, which you honoured me with, by Monsieur Montandoine; and I am farther to thank you for giving me the opportunity of knowing so sensible and ingenious a gentleman; I eagerly embraced every occasion of being with him, and his amiable lady, but the ill state of her health, obliges her to pass a considerable part of her stay, in this Island, at Bath, which Miss Wilkes and I greatly regretted.

The little adventure at Berlin, was a low piece of Scottish knavery, exactly calculated for the meanness of fraud, in those pedlars of politics, who, boasting all the while of economy, have lost a continent.

This poor country is fallen into a fatal lethargy, from which all efforts to rouse her seem ineffectual. The single loss of Minorca, drove the people of England almost to madness; now thirteen provinces dismembered from the British empire scarcely excite a murmur, except among a very few, who dare to love their country even at this disgraceful period. The parliamentary campaign will soon open, but nothing is to be expected. Corruption has spread like a low born mist, *a Scottish mist*, and pervades every thing. Poor opposition, too, wants a head, and is feeble and sickly in all its members.

I am very sensible of your kindness to young Smith of Berlin, and was made very happy by your favourable account of him. I hope, I am not to blush for him in future life, but trust he will justify your obliging partiality to him.

In all the changes or chances of this political warfare, remember, my dear sir, you have here a warm friend, who would rejoice in every opportunity of convincing you of his attachment, and be highly gratified by your correspondence.

Vale, et me ama.

P. S. Miss Wilkes desires to add her compliments.

The following letter was from Colonel Barré, whose eloquent defence of the colonies is so well known to every reader.

LONDON, January 31st, 1771.

Sir—I should long since have acknowledged the receipt of your very obliging letter of last June, if I had been in England; but I was, at the time of its arrival, in a remote part of Europe, and now seize this as the first opportunity which presents itself since my return, to pay my respects to you.

I see you lament, with all the feelings of true patriotism, that the firmness of America, has at last given way to the combined arts of ministerial and mercantile wickedness. It was very difficult to resist the former, and, upon my word, I think it fair to call the latter, rather mercantile weakness, than wickedness. Some of the most considerable men throughout your continent are employed in active commerce. They stood long in defence of the rights of their fellow subjects, but the ministers have had sagacity enough to see, that (be-

sides the jealousy of each other,) the expense of the contest, lay too heavy upon that body of men, to continue much longer. However, it must be confessed upon the whole, that America has shown, in the late struggle, a strong love of liberty, a spirited resentment, and most uncommon abilities.

I am exceedingly obliged to you for your two presents. Their intrinsic worth is rare, and the manner of sending them, very flattering. It must give me great pleasure to find, that my poor services are still remembered in America, and that I hold a place, in the esteem of so respectable a man, as Mr. Lee.

I have the honour to be, with great regard and consideration, Sir,

Your most obedient, and most humble servant,

ISAAC BARRE.

The following letter is from William Wyndham, who was a distinguished politician and speaker in the House of Commons.

My dear Sir—I did not imagine, when we last met in London, that it would so soon happen to me, to address a letter to you, as one of the commissioners of the United States of America. I most heartily wish you joy, of a situation so honourable and distinguished. The sentiments which I have ever entertained on American matters, at a time when affairs had the least promising aspect, will sufficiently witness, the sincerity of this congratulation. I would wish to say a great deal of what is uppermost in my mind, on the present most extraordinary juncture, but the hurry in which I am obliged to write, will confine me to the immediate subject of this letter. I have taken the opportunity of my being in France for a few days, and meeting with Captain Johnson, to send this letter and one enclosed to you, with the hope, that you will take some safe opportunity of sending the enclosed, to my friend* in Carolina. I have ventured to propose, in my letter to him, that he should direct a letter to me, to your care. I am sensible I am taking a liberty, but I am driven to it by my desire to hear from him, and my ignorance of any other means by which I might hope a letter would come safe.

In the summer, I think, I shall be tempted to make a short visit to Paris. It would give me particular pleasure to find

* The name could not be made out.

you there. What a spectacle have our worthy court exhibited to the indignation and scorn of Europe. When I think of the acquiescence of the nation, under such men and manners, I really begin almost "desperare de republica," and to hold less firmly to an opinion, which I have kept fast to hitherto, that the bulk of the people of England, had still a fund of those qualities, which, till lately, rendered them deservedly the admiration of all who knew them. I should be very happy to have now some more of such conversations as we used to have on these matters formerly. I am at a loss how to enclose this letter, in a way to make myself known, without signing my name, which might perhaps be inconvenient; after the description, which Captain Johnson may give, it may probably be sufficient to add, that we met at poor Alleyne's,* the last time we dined there, Jones† was one of the party.

Believe me, dear sir, with great truth,

Your most obedient and faitful servant,

W. W.

Dunkirk, March 12, 1778,
I live now in Pall-Mall.

* Alleyne was a very brilliant advocate, and a lawyer of great promise. He was the friend and companion of Dunning, &c. He died early in life.

† Sir William Jones.

NUMBER II.

To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled.

The humble petition of several natives of America, showeth, That your petitioners being natives of his majesty's dominions in America, are deeply interested in every proceeding of this right honourable house, which touches the life, liberty, or property, of any person, or persons, in the said dominions. That your petitioners conceive themselves and their fellow subjects, to be entitled to the rights of natural justice, and to the common law of England, as their unalienable birth right. That they apprehend it to be an invariable rule of natural justice, that no man shall be condemned unheard; and that, according to law, no person, or persons, can be judged without being called upon to answer, and being permitted to hear the evidence against them, and to make their defence. That it is, therefore, with the deepest concern, they understand, that there is now before this right honourable House, a bill of pains and penalties to be inflicted on the town of Boston, for a trespass committed by some persons unknown, upon the property of the East India Company, without the said town having been apprised of any accusation being brought against them, or permitted to hear the evidence, if there be any, or to make their defence. That the bill takes away immediately from the inhabitants of the town, the use of property to the amount of several hundred thousand pounds, vested in quays, wharves, stores, &c. That it will restrain many thousands of his majesty's subjects from subsisting themselves and their families, by their usual employments. That it will punish the innocent for the guilty, and even should all the reparation required by the bill be made, the restoration of that property, or any part of it, is suffered to depend solely upon the will of the crown.

Your petitioners conceive such proceedings to be directly repugnant to every principle of law and justice, and that, under such a precedent, no man, or body of men, could enjoy a moment's security; for, if judgment be immediately to fol-

low an accusation, the accused, unacquainted with the charge, and debarred from defending themselves, every fence against false accusations will be pulled down; justice will no longer be a shield, nor innocence an exemption from punishment. Your petitioners beg leave to represent, that the law in America ministers redress for any injury sustained there, and they can most truly affirm, that it is administered in that country with as much impartiality as in any other part of his majesty's dominions. In proof of this, they appeal to an instance of great notoriety, in which, under every circumstance that could exasperate the people, and disturb the course of justice, Captain Preston and his soldiers had a fair trial, and a favourable verdict. The due course of law thus manifestly holding out redress, they cannot but consider the interposition of Parliamentary power to be as unnecessary as it is arbitrary and unjust. Your petitioners conceive that the right honourable House, being the supreme judicature of this nation, are too well acquainted with the inviolable rules of justice to require any further objections to the bill against the town of Boston, now under consideration. They, therefore, trust and pray that the right honourable house will not pass a bill which is to condemn and punish persons unheard, and, therefore, deprived of that privilege which every principle of justice, and every practice of law, allows to the meanest individual; the privilege of hearing and controverting the evidence against him, and maintaining his innocence.

And your commissioners, as in duty bound, will ever pray.

THATCHED HOUSE TAVERN, LONDON, March 26th, 1774.

The above is a literal copy of a petition this day drawn up and signed, here, by the sheriffs of London, Doctor Franklin, R. Izard, William Middleton, Esquires, Colonel Lawrence, and many other of the first gentlemen of South Carolina. The honourable John Ellis, one of the council of Jamaica, and worth at least twenty thousand pounds per annum; Arthur Lee, Esq. and many other gentlemen of the several colonies of North Carolina, Maryland, Pennsylvania, New York, and the several New England governments, and is to be presented, on Monday next, the 28th instant, to the House of Lords.

(Witness)

WILLIAM LEE.

NUMBER III.

The following Letter was addressed to the Author by the honourable John Jay.

BEDFORD, West Chester County, New York,
12th February, 1823.

SIR—I received, by the last mail, your friendly letter of the 30th ultimo, the principal object of which, you observe, is to obtain from me, if I recollect minutely on the subject, a correct account of the part which your grandfather acted in the *three* leading committees appointed by the Congress of 1774; these were committees to prepare an address to the *king* of England—to the people of *Great Britain*—and to the Colonies. The committee for the *first* address, consisted of Messrs. Lee, J. Adams, Johnson, Henry, and Rutledge; to this committee, Mr. Dickenson was afterwards added. You further observe, that it had been generally understood that Mr. Lee was the writer of that address; but that it has since been ascribed to Mr. Dickenson. So many years have elapsed since the Congress of 1774, that my recollection, as to many of the occasional and incidental circumstances, which occurred in the course of their proceedings, is not distinct.

It appears, from the journals of that Congress, that the committee to prepare an address to the *king*, reported a draught of such an address, on the 21st October; that, after some debate it was *recommitted*, and that Mr. J. Dickenson was, on *that day*, added to the committee. So soon afterwards as the 24th October, they again reported; and on the next day, viz. the 25th October, the address they had reported, was debated, and, after some amendments, approved. By which of the members of the committee it was written, I do not remember to have been informed. To me, it appears probable that the *same* draught which had been recommitted, was, with the co-operation of Mr. Dickenson, amended, and again reported. That Mr. Dickenson, between the 21st October, when he was added to the committee, and the 24th

October, when they, for the last time reported, should have proposed to the committee to lay aside their draught, and that he, with their approbation, should have undertaken, and to their satisfaction, have finished, an entire *new* address, is, in my opinion, improbable, especially considering his sense of propriety, and the characters and abilities of the gentlemen of that committee.

On the 11th October, 1774, the Congress "*Resolved, unanimously*, That a *memorial* be prepared to the people of *British America*, stating to them the necessity of a firm, united, and invariable observation of the measures recommended by the Congress, as they tender the invaluable rights and liberties derived to them from the laws and constitution of their country. Also, "That an *address* be prepared to the people of *Great Britain*." "*Ordered*, That Mr. Lee, Mr. Livingston, and Mr. Jay, be a committee to prepare a draught of the *memorial* and *address*."

It was agreed, in the committee, that Mr. Lee should prepare a draught of the proposed *memorial*, which was the first, both in order and importance; and that I should prepare a draught of the proposed *address* to the people of Great Britain, both of which were done accordingly. On the 18th October, the *address* to the people of Great Britain was reported to Congress. On the 19th October, it was debated by paragraphs, and sundry amendments made; and was recommitted, in order that the amendments might be taken in. On the 21st October, it was returned to Congress, and the amendments directed, being made, the same was appointed. On the 19th October, the committee reported a draught of a *memorial* to the inhabitants of the British colonies. On the 21st October, the Congress resumed the consideration of the *memorial*, and the same, being debated by paragraphs and amended, was approved. I have always believed that this memorial was written by Mr. Lee, nor have any reasons to doubt it, come to my knowledge. On the same day, viz. 21st October, the Congress "*Resolved*, That an address be prepared to the people of *Quebec*, and letters to the colonies of St. Johns, &c." "*Ordered*, That Mr. *Cushing*, Mr. *Lee*, and Mr. *Dickenson*, be a committee to prepare the above *address* and letters." Hence it appears, that your idea of my being one of that committee, is not correct. On the 24th October, the address to the people of *Quebec*, being brought in, was read, and, after some debate, was recommitted. On the 26th October, the committee to whom the address to the inhabitants of *Quebec* was recommitted, reported a draught, which was read, and, being debated by paragraphs and

amended, was approved." I have often heard it said, and not heard it contradicted, that this address was written by Mr. Dickenson. On the 25th October, the Congress "*Resolved*, That the address to the *king*, be enclosed in a letter to the several colony agents, &c. and "*Ordered*, That Mr. Lee and Mr. Jay prepare a letter to the agents." On the 26th October, the letter to the agents being brought in by the committee, was read and approved; this letter was written by Mr. Lee.

The committee (mentioned in the postscript of your letter) appointed to state the rights of the colonies, &c., included a number of gentlemen, whose information and talents, enabled them to discuss and elucidate those topics very ably; but, I cannot particularize how far Mr. Lee, or any other individual of those gentlemen, contributed to the accomplishment of that business. The uninterrupted deputation of Mr. Lee to Congress, by his native and important state, during many years of danger and difficulty, and his continued participation in the transaction of affairs of such moment, afford inferences on which much might be said. Although a recent increase of sickness, renders occupation irksome to me, yet as a further increase of it might suspend, and perhaps prevent my attending to your *inquiries*, I think it better to answer your letter thus concisely, than to postpone writing. Those inquiries need no apology. The friendly sentiments expressed in your letter, merit, and have my acknowledgments. With the best wishes for your success and welfare, I am, Sir,

Your obedient servant,

JOHN JAY.

Richard Henry Lee, Esq.

NUMBER IV.

To the King's most excellent Majesty.

The humble address and petition of the lord mayor, aldermen, and commons, in common council assembled.

Most gracious sovereign, your majesty's most loyal and dutiful subjects, the lord mayor, aldermen, and commons, of the city of London, in common council assembled, with all humility, beg leave to lay themselves at your royal feet, humbly imploring your benign attention to the grievous distractions of their fellow subjects in America.

The characteristic of the people, sire, over whom you reign, has ever been equally marked for an unparalleled loyalty to their sovereign, whilst the principles of the constitution have been the rule of his government, as for a firm opposition, whenever their rights have been invaded.

Your American subjects, royal sir, descended from the same ancestors with ourselves, appear equally jealous of the prerogatives of freemen, without which they cannot deem themselves happy.

Their cheerful and unasked for contributions, as well as willing services to the mother country, while they remain free from the clog of compulsory laws, will, we are sure, plead powerfully with the humanity of your disposition, for readily granting them every reasonable opportunity of giving as freemen, what they seem resolutely determined to refuse, under the injunction of laws, made independent of their own consent. The abhorrence we entertain of civil bloodshed and confusion, will, we trust, sire, if not wholly exculpate us in your royal mind, yet plead powerfully in our favour, for the warmth with which we lament those measures, the dsetructive principles of which, have driven our American brethren to acts of desperation.

Convinced of the earnest disposition of the colonists to remain firm in all duteous obedience to the constitutional authority of this kingdom, permit us most gracious sovereign to beseech you, that those operations of force, which at present distract them with the most dreadful apprehensions, may be suspended; and that, uncontrolled by a restraint incompatible with free government, they may have an opportunity of tendering such terms of accommodation, as we have

no doubt will approve them worthy of a distinguished rank among the firmest friends of this country.

Your petitioners do therefore most earnestly beseech your majesty to dismiss immediately, and for ever, from your councils, those ministers and advisers. As the first step towards a full redress of those grievances, which alarm and afflict your whole people.

So shall peace and commerce be restored, and the confidence and affection of all your majesty's subjects be the solid supporters of your throne.

NUMBER V.

Copy of the letter written by Thomas Jefferson to Richard Henry Lee, Esq. enclosing the original draft of the Declaration of Independence, as first reported. The passages omitted by Congress are printed in Italics, and the substitutions are given at the bottom of each page.

PHILADELPHIA, July 8th, 1776.

DEAR SIR—For news, I refer you to your brother, who writes on that head. I enclose you a copy of the Declaration of Independence, as agreed to by the House, and also as originally framed: you will judge whether it is the better or worse for the critics. I shall return to Virginia after the 11th of August. I wish my successor may be certain to come before that time: in that case, I shall hope to see you, and not Wythe, in convention, that the business of government, which is of everlasting concern, may receive your aid. Adieu, and believe me to be,

Your friend and servant,

THOMAS JEFFERSON.

A Declaration by the Representatives of the UNITED STATES OF AMERICA, *in general Congress assembled.*

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God, entitle them; a decent respect to the opinions of mankind requires, that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with *inherent and inalienable** rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that when-

* Certain unalienable rights.

ever any form of government becomes destructive of these ends, it is the right of the people to alter or *to* abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments, long established, should not be changed for light and transient causes. And, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, *begun at a distinguished period, and* pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to *expunge** their former systems of government. The history of the present king of Great Britain, is a history of *unremitting*† injuries and usurpations; *among which appears no solitary fact to contradict the uniform tenour of the rest;* but all *have*‡, in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world; *for the truth of which we pledge a faith yet unsullied by falsehood.*

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has *neglected utterly*§ to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly *and continually*, for opposing with manly firmness his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected, whereby the legislative powers,

* Alter. † Repeated. ‡ Having. § Utterly neglected.

incapable of annihilation, have returned to the people at large for their exercise, the state remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither; and raising the conditions of new appropriations of lands.

*He has suffered the administration of justice totally to cease in some of these states, refusing** his assent to laws for establishing judiciary powers.

He has made *our* judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices *by a self-assumed power*, and sent hither swarms of officers to harass our people, and eat out their *substance*.

He has kept among us, in times of peace, standing armies *and ships of war*, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitutions, and unacknowledged by our laws; giving his assent to their acts of pretended legislation,

For quartering large bodies of armed troops among us;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;

For cutting off our trade with all parts of the world;

For imposing taxes on us without our consent;

For depriving us† of the benefits of trial by jury;

For transporting us beyond seas to be tried for pretended offences;

For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these states;

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our government;

For suspending our own legislatures, and declaring them-

* He has obstructed the administration of justice, by refusing.

† In many cases.

selves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, *withdrawing his governors, and* declaring us out of his *allegiance and* protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries, to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy,* unworthy the head of a civilized nation.

He has endeavoured to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions *of existence; he has excited treasonable insurrections of our fellow citizens with the allurements of forfeiture and confiscation of our property.*

He has constrained *others,*† taken captives on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people, who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel powers, is the warfare of the Christian *king of Great Britain. Determined to keep open a market where* MEN *should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce. And that this assemblage of horrors might want no fact of distinguished dye, he is now exciting those very people to rise in arms among us, and to purchase that liberty of which* he *has deprived them, by murdering the people upon whom* he *obtruded them: thus paying off former crimes committed against the* liberties *of one people, with crimes which he urges them to commit against the* lives *of another.*

In every stage of these oppressions, we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which *may* define a tyrant, is unfit to be the ruler of *a people who mean to be*

* Scarcely paralleled in the most barbarous ages, and totally.
† Our fellow citizens.

*free.** *Future ages will scarce believe that the hardiness of one man adventured within the short compass of twelve years only, to build a foundation, so broad and undisguised, for tyranny over a people, fostered and fixed in principles of freedom.*

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend *a*† jurisdiction over *these our states.*‡ We have reminded them of the circumstances of our emigration and settlement here; *no one of which could warrant so strange a pretension; that these were effected at the expense of our own blood and treasure, unassisted by the wealth or the strength of Great Britain: that in constituting indeed our several forms of government, we had adopted one common king, thereby laying a foundation for perpetual league and amity with them; but that submission to their Parliament was no part of our constitution, nor ever in idea, if history may be credited: and* we§ appealed to their native justice and magnanimity, *as well as to the*‖ ties of our common kindred, to disavow these usurpations, which *were likely to*¶ interrupt our connexion and correspondence. They too have been deaf to the voice of justice, and of consanguinity; *and when occasions have been given them, by the regular course of their laws, of removing from their councils the disturbers of our harmony, they have, by their free election, re-established them in power. At this very time too, they are permitting their chief magistrate to send over not only soldiers of our common blood, but* [*Scotch and*] *foreign mercenaries to invade and destroy us. These facts have given the last stab to agonizing affection; and manly spirit bids us to renounce for ever these unfeeling brethren. We must endeavour to forget our former love for them;* we must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We might have been a free and a great people together; but a communication of grandeur and of freedom, it seems, is below their dignity. Be it so, since they will have it. The road to happiness and to glory is open to us too; we will climb it apart from them, and acquiesce in the necessity which denounces our eternal separation!

We, therefore, the representatives of the United States of America in general Congress assembled, appealing to the

* Of a free people. † An unwarrantable. ‡ Us. § Have.
‖ And we have conjured them by. ¶ Would inevitably.

Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by authority of the good people of these *states*,* reject and renounce all allegiance and subjection to the kings of Great Britain, and all others who may hereafter claim by, through, or under them; we utterly dissolve all political connexion which may heretofore have subsisted between us and the Parliament or people of Great Britain; and, finally, we do assert the colonies to be free and independent states, and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And, for the support of this declaration, we mutually pledge to each other our lives, our fortunes, and our sacred honour.

* Colonies.

NUMBER VI.

General C. Lee's Letter to Earl Percy, when the latter was enclosed with the British Army in Boston, 1775.

My Lord—Were your lordship only a common colonel of a regiment, certainly I should not have given myself the trouble of writing, nor you the trouble of reading this; but as you hold so high a rank, and will, one day, hold a still higher, I conceive it will not be improper to address you. And, in some measure, to apologize for my seeming want of respect, as I have not waited on the general, for reasons which he cannot, I think, disapprove, I was not certain whether you might, in your military capacity, consider my visit as proper: but, as you are not merely a soldier, but a citizen of the first class and importance, from your illustrious family and fashion, your vast property, and being destined by birth to be a counsellor of the nation, I think some explanation of my conduct, not only proper, but necessary: and I flatter myself, that some time or other, your lordship will not simply approve my conduct, but become a friend to the same cause. My lord, I will venture to say, it is the cause of Great Britain as well as of America: it is the cause of mankind. Were the principle of taxing America without their consent, admitted, Great Brttain would that instant be ruined. The pecuniary influence of the crown, and the army of placemen and pensioners, would be so increased, that all opposition to the most iniquitous measures of the most iniquitous ministers, would be forever borne down. Your lordship, I am sure, must be sensible, that the pecuniary influence is already enormously too great, and that a very wicked use is made of it. On these principles, every good Englishman, abstracted from any particular regard for America, must oppose her being taxed by the Parliament of Great Britain, or more properly by the first lord of the treasury: for in fact, the parliament and treasury, have of late years, been one and the same thing. But, my lord, I have besides, a very particular regard for America; I was long among them, and I know them to be the most loyal, affectionate, zealous subjects of the whole empire. General Gage himself, must acknowledge the truth of what I

advance: he was witness through the course of the last war, of their zeal, their ardour, their enthusiasm, for whatever concerned the welfare, the interest, and the honour of the mother country. When I see, therefore, the extreme of calamities, attempted to be brought down upon such a people, by the intrigues of such a couple of scoundrels as Bernard and Hutchinson; when I see a minister, violent and tyrannical, like *North*, mowing down whole communities, merely to indulge his hereditary hatred to liberty, and those who are attached to her, I think it the duty of every honest man and friend to humanity, to exert his utmost to defeat the diabolical purpose. That these people have been totally misrepresented at home; that they have been most unjustly and cruelly treated, your lordship will, I make no doubt, be sooner or later convinced; but as from your present situation, and many circumstances, you will not probably fall into the way of truth so soon as I could wish, I beg leave to recommend to your perusal, a sort of pamphlet, lately sent from England: it is entitled, "A true state of the proceedings in the Parliament of Great Britain, and in the province of the Massachusetts Bay." Mr. . . . . will furnish your lordship with it, if you will make use of my name: it is a fair and candid relation of the whole process, from beginning to end. When your lordship has read it, you will be struck with compassion and horror, and I have great hopes, will become a not less warm, but more powerful friend, of this much injured country, than myself. I take the liberty of recommending this method to your lordship, as it is impossible you should gather any thing but misinformation from the men, who, I find, surround *head quarters*. The Sewell's and Paxton's, are not only interested to misrepresent and calumniate, but to exterminate their country: there is no medium: their country must perish, or they meet with the deserts of impious parricides. It was the misfortune of General Gage, from the beginning, to fall into such hands as these; had he not been deluded by men of this stamp, we should never have seen him acting in a capacity so incompatible with the excellence of his natural disposition. I must now, my lord, entreat, that as fools and knaves, will, from misunderstanding and malice, probably disfigure my conduct, you will not suffer them to make any wrong impressions; that you will be persuaded that I act not from pique or disappointment, which I conclude, will be insinuated, but from principle. I think, my lord, an English soldier owes a very great degree of reverence to the king, as first magistrate, and third branch of the legislature, called to this mighty station by the voice of the

people: but I think he owes still a greater degree to the rights and liberties of his country: I think his country is every part of the empire; that in whatever part of the empire a flagitious minister manifestly invades these rights and liberties, whether in Great Britain, Ireland, or America, every Englishman, soldier or not soldier, ought to consider their cause as his own. And that the rights and liberties of this country are invaded, every man who has eyes, and is not determined to keep them shut, must see. These, my lord, are my principles; from these, I swear by all that's sacred and tremendous, I purely and solely act; and these, I hope, will rather serve, than prejudice me, in your lordship's opinion. I flatter myself still further, I flatter myself that you, my lord, before long, will adopt them: that you will, at least, in your letters to your father, whom I have been always taught to esteem as an honest man and a friend to humanity, endeavour to undeceive the people at home, if the delusion is not too strong. I can venture to affirm, that you will feel some consolation amidst the calamities ready to fall upon your country, in the reflection that you have attempted to avert them. I shall now finish, my lord, with entreating, that if any thing appears impertinent, either in the matter or length of this letter, you will attribute it to an intemperate zeal in an honest cause; and that you will be assured, I should not have addressed it to a man, of whom I entertained an unfavourable opinion.

I am your obedient servant,

CHARLES LEE.

NUMBER VII.

Letter from a Committee of Congress to General Washington.

PHILADELPHIA, April 10, 1777.

Sir—In obedience to an order of Congress, we inform your excellency of the reasons and principles that have governed Congress in their resolution for forming a camp on the west side of Delaware. The repeated information that hath been received of the enemy's movements, and it being the opinion of your excellency, as well as of many other General Officers, that this city was the object of such movements, rendered it proper that means should be fallen upon to prevent the success of such a design, as well to guard against the bad impression that it would certainly have on the affairs of America in general, as to give security to the valuable stores here collected, and which cannot speedily be removed. It has been considered, that if the real object of the enemy should be this city, the troops are here well fixed, and it will be an encouraging place of resort to the militia of this state, in their present unfixed condition, being between their old plan of association, and their new but yet unexecuted law. On the other hand, should the design of the enemy be upon Hudson river, or more eastward, the troops here may with ease reach that river before their's, now at head quarters, can have all crossed it. But another consideration remains, and that is, should the enemy propose to remain in Jersey to attack your army, or should your excellency mean to make a decisive impression on them when your numbers are sufficient, in either of these suppositions, the troops ought not to be here. In the whole of this business, Congress mean not in any manner, to interfere with the designs, or to counteract the judgment of your excellency, but wish you freely to call up to head quarters, all, or any part of the troops encamped here, as you shall please. It is not supposed that this will occasion any delay, and will certainly prevent the injuries that would be derived to the troops, as well in health as discipline, from their entering and remaining any time in this city.

We have the honour to be, &c.

NUMBER VIII.

BALTIMORE, Dec. 21, 1776.

HONOURABLE GENTLEMEN—After expressing our hopes that this will find you all three safely fixed at Paris, we proceed with pleasure to acknowledge the receipt of Mr. Deane's letter of the first of October. When we reflect on the character and views of the court of London, it ceases to be a wonder that the British ambassador, and every other British agent, should employ every means that tended to prevent European powers, but France more especially, from giving America aid in this war. Prospects of accommodation, it is well known, would effectually prevent foreign interference, and therefore, without one serious design of accommodating on any principle, but the absolute submission of America, the delusive idea hath been industriously suggested on both sides the water, that under cover of this dividing and aid withholding prospect, the vast British force sent to Ameriea, might have the fairest chance of succeeding. And this policy hath in fact done considerable injury to the United States, as we shall presently show by a just detail of this campaign, for it is not yet ended. You know, gentlemen, that at the moment a potent land and marine force was preparing to be sent here, an act was passed for appointing commissioners, whom too many expected were to give peace to America; as therefore the war might be soon concluded, so were our military arrangements accommodated, and the troops taken into service the last spring, consisting of regular corps and bodies of militia, were all engaged for short periods: with these the campaign began in various parts of North America. Dr. Franklin is so well acquainted with the progress of the war in Canada, previous to his departure, that we need only observe the campaign has ended as favourably for us in that quarter as we could reasonably expect. The enemy having been able to pierce no further than Crown Point, after a short stay, and reconnoitering General Gates's army at Ticonderoga, thought proper to recross the lake, and leave us in quiet possession of those passes. General Gates having left a proper force at Ticonderoga, and on the communication, retired with the rest of his troops.

New York and its neighbourhood, not being defensible by an army, singly against a strong land and sea force acting in conjunction, was of necessity yielded to the enemy, after some contest; General Washington retiring until the situation of the country above Kings-bridge, no longer enabled the enemy to receive aid from their ships. General Howe being stopped here, and General Carleton at Crown point, effectually disappointed the great object of joining the two armies. The latter, as we have said, returning to Canada, and the former retreating from the White plains towards New York, gave us a favourable prospect of seeing a happy end put to this dangerous campaign. However, many causes have concurred in producing an unlucky reverse of fortune; the nature of the country, the uncommon fineness of weather, even to this day, and above all, the short enlistments, which gave the soldiery an opportunity of going home, tired as they were with the operations of an active summer. When General Howe retreated from the White plains, he halted his whole army on the North river, between Dobbs' ferry and Kingsbridge, where he remained for some time. Having effected so little of the great business that brought him here, and the season allowing time for it, most men were of opinion, that the next attempt would be, to get possession of Philadelphia, by a march through the Jerseys, whilst a fleet should be sent up the Delaware to facilitate the enterprise. To guard against such a manœuvre, General Washington crossed the North river, with all the battalions that had been raised to the westward of it, leaving General Lee with the eastern troops, to guard the pass of the Highlands on Hudson river. In this situation of things, Mr. Howe made a sudden attack on fort Washington, with the greater part of his army, and carried it with a considerable loss; here he made near three thousand of our men prisoners. By this event, it became unnecessary longer to hold fort Lee, (or fort Constitution, as it was formerly called) which is on the west side of North river, and nearly opposite to fort Washington. It had been therefore determined to abandon fort Lee, but before the stores could be all removed, the enemy came suddenly upon it, and the garrison retreated, leaving some of their baggage and stores behind. About this time, General Howe became possessed of a letter, (by the agency of some wicked person, who contrived to get it from the express,) written by General Washington to the board of war, in which he had given an exact account when the time of service of all our battalions would expire, and his apprehensions that the men would not reenlist without first going home, to see their families and friends. Pos-

sessed of this intelligence, the opportunity was carefully watched, and a vigorous impression actually made, at the very crisis, when our army in the Jerseys was reduced to three thousand men, by the retiring of numbers, and the sickness of others, and before militia could in this extensive country be brought up to supply their places; the enemy marched rapidly on through the Jerseys, whilst our feeble army was obliged to retreat from post to post, until it crossed the Delaware at Trenton, where about two thousand five hundred militia from Philadelphia, joined the general. Since General Howe's arrival on the borders of the Delaware, various manœuvers and stratagems have been practised to effect a passage over the river, but they have hitherto proved abortive. General Washington's small army is placed along the west side of Delaware, from above Cayell's ferry to within fourteen miles of Philadelphia, whilst the Gondolas, one frigate, and other armed vessels in the river, above the Chivaux de Frize, cover the passage of it. General Lee, who had crossed the North river with as many of the eastern troops as could be spared from the defence of the Highlands, either to join General Washington, or to act on the enemie's rear, as occasions might point out) was the other day unfortunately surprised, and made prisoner by a party of seventy light-horse, who found him in a house a few miles in the rear of his army, with his domestics only. This loss, though great, will in some degree be repaired for the present, by General Gates, who, we understand, has joined the army commanded by General Lee, and who, we have reason to think, has by this time effected a junction of his force with that of General Washington. As the militia are now marching from various quarters to reenforce the general, if the enemy do not quickly accomplish their wishes of possessing Philadelphia, we hope not only to save that city, but to see General Howe obliged to retreat as fast as he advanced through the Jerseys. General Clinton, with a fleet, in which 'tis said he carried eight thousand men, has gone from New York through the Sound, some suppose for Rhode Island, but his destination, or its consequences, we yet have no certainty of. Thus, gentlemen, we have given you a true detail of the progress and present state of our affairs, which, although not in so good a posture as they were two months ago, are by no means in so bad a way as the emissaries of the court of London will undoubtedly represent them to be. If the great land and sea force with which we have been attacked, be compared with the feeble state in which the commencement of this war found us, in respect to military stores of all kinds, soldiers, clothing, money, and regular force, the wonder will

rather be, that our enemies have made so little progress, not that they have made so much. All views of accommodation with Great Britain, but on principles of peace as independent states, and in a manner perfectly consistent with the treaties our commissioners may make with foreign states being totally at an end, since the declaration of independence and the embassy to the court of France, Congress have directed the raising of ninety-four battalions of infantry, with some cavalry, and we hear the levies are going on well in the different states; until they are collected the militia must curb the enemie's progress. The very considerable force that Great Britain has already in North America, the possibility of recruiting it here within their own quarters by force and fraud together, added to the reenforcements that may be sent from Europe, and the difficulty of finding funds in the present depressed state of American commerce, all conspire to prove incontestibly, that if France desires to preclude the possibility of North America being ever re-united with Great Britain, this is the favourable moment for establishing the glory, strength, and commercial greatness of the former kingdom, and the ruin of her ancient rival. A decided part now taken by the court of Versailles, and a vigorous enterprise in the war in union with North America, would with ease sacrifice the fleet and army of Great Britain, at this time chiefly collected about New York, and the inevitable consequence would be, the quick reduction of the British West India islands, already barred of all defence by the removal of their troops to this continent. For the reasons here assigned, gentlemen, you will readily discern, how all-important it is to the security of American independence, to urge France, and with her Spain, into the war as soon as may be; and, if it be possible, speedily to procure from the former the number of line of battle ships, you were desired in your instructions to obtain for us, the speedy arrival of which here, in the present state of things, might decide the contest at one stroke. We shall pay proper attention to what Mr. Deane writes about Doctor Williamson and Mr. Hopkins, and we think the ill treatment this country and Mr. Deane have received from these men, strongly suggest the necessity of invincible reserve with persons coming to France as Americans and friends to America, whom the most irrefragable proofs have not removed all doubt about. The British recall of their Mediterranean passes, is an object of great consequence, and may require much intercession with the court of France, to get settled on the best footing for the security of American commerce; but this subject has been already touched in your instructions on the 6th

article of the treaty, proposed to be made with France, as all affairs relative to commerce and remittances pass through another department. We beg leave to refer you to the secret committee, and Mr. Thomas Morris, their agent in France, for every information on these subjects. As the neighbourhood of Philadelphia had, by the enemies' movements become the seat of war, it was judged proper that Congress should adjourn to this town, where the public business may be attended to, with the undisturbed deliberation that its importace demands. The Congress was accordingly opened here on the 20th instant. As it is more than probable, that the conference with Lord Howe on Staten Island may be misrepresented, to the injury of these states, we do ourselves the pleasure, to enclose you an authenticated account of that whole business, which the possibility of Dr. Franklin's not arriving renders proper. This step was taken to unmask his lordship, and evince to the world, that he did not possess powers, which for the purposes of delusion and division, had been suggested. Mr. Deane's proposition of loan is accepted by Congress, and they have desired two millions sterling to be obtained, if possible. The necessity of keeping up the credit of our paper currency, and the variety of important uses that may be made of this money, have induced Congress to go so far, as to offer per cent; but this interest is heavy, and it is hoped, you may be able to do the business on much easier terms. The resolves of Congress on this subject, are enclosed, and your earliest attention to them is desired, that we may know as soon as possible, of this application. Another resolve, enclosed, will show you, that Congress approve of armed vessels being fitted out by you, on continental account, provided, the court of France dislike not the measure, and blank commissions for this purpose will be sent you by the next opportunity. Private ships of war, or privateers, cannot be admitted where you are, because the securities necessary in such cases, to prevent irregular practices, cannot be given by the owners and commanders of such privateers. Another resolve of Congress, which we have the honour to enclose you, directs the conduct to be pursued with regard to Portugal. We have nothing further to add at present, but to request, that you will omit no good opportunity of informing us, how you succeed in your mission, what events take place in Europe, by which these states may be affected, and that you convey to us, in regular succession, some of the best London, French, and Dutch newspapers, with any valuable political publications, that may concern North America. We have the honour to be, with great respect and esteem, &c.

P. S. The American captures of British vessels, at sea, have not been less numerous, or less valuable, than before Doctor Franklin left us. The value of these captures has been estimated at two millions.

BALTIMORE, December 30, 1776.

Honourable Gentlemen—You will be pleased to receive herewith, copies of our letter of the 21st instant, and of its enclosures, which we recommend to your attention; since that letter was written, General Washington having been reenforced by the troops lately commanded by General Lee, and by some corps of militia, crossed the Delaware, with two thousand five hundred men, and attacked a body of the enemy stationed at Trenton, with the success that you will see related in the enclosed handbill. We hope this blow will be followed by others that may leave the enemy not so much to boast of as they some days ago expected, and we had reason to apprehend. Upon mature deliberation of all circumstances, Congress deem the speedy declaration of France, and European assistance, so indispensably necessary to secure the independence of these states, that they have authorized you to make such tenders to France and Spain as, they hope, will prevent any longer delay of an event that is judged so essential to the well being of North America. Your wisdom, we know, will direct you to make such use of these powers as will procure the thing desired, on terms as much short of the concessions now offered as possible; but no advantages of this kind are proposed to be contemplated, at the risk of a delay that may prove dangerous to the end in view. It must be very obvious to the court of France, that if Great Britain should succeed in her design of subjugating these states, that their inhabitants, now well trained to the use of arms, might be compelled to become instruments for making conquest of the French possessions in the West Indies, which would be a sad reverse of that security and commercial benefit that would result to France from the independence of North America. By some accident, in removing the papers from Philadelphia to this place, the secretary of Congress has mislaid the additional instruction,

formerly given you, by which you were empowered to negotiate with other courts than France. We think it necessary to mention this to you, lest the paper should get into wrong hands; and, because we wish to have a copy sent us by the first good opportunity. We observe that Mr. Deane sent his despatches, for this committee, open, to Mr. Bingham; but, though we have a good opinion of that gentleman, yet we think him rather too young to be made acquainted with the business passing between you and us, and, therefore, wish this may not be done in cases of much importance. The next opportunity will bring you the determination of Congress concerning the persons that are to be sent to the courts of Vienna, Prussia, Spain, and the grand duke of Tuscany. In the mean time, it is hoped, that, through the medium of the ambassadors from those courts to that of France, you may be able to procure their friendly mediation for the purposes proposed by Congress. One of our continental armed vessels, of fourteen guns, lately met with a king's sloop of war of twelve guns, and, after a smart engagement, the sloop was brought into the Delaware. In our last, we say, the prisoners made by the enemy at Fort Washington, were near three thousand, but the number is fixt at two thousand six hundred, and the number of West Indiamen taken by our cruizers, amounts to two hundred and fifty. Wishing you health and success, we remain, honourable gentlemen, &c.

BALTIMORE, (Maryland,) February 19, 1777.

Honourable Gentlemen—The events of war have not, since our last, furnished any thing decisive. The enemy's army still remains encamped upon the hills near Brunswick, and still our troops continue to beat back and destroy their convoys; insomuch, that, we understand, their horses die in numbers; and, we have reason to believe, that the difficulty of removing their stores, cannon, &c. will be insuperably great, until the opening of the Rariton furnishes a passage by water for their return to New York. The American army is not numerous at present, but the new levies are collecting as fast as possible, and we hope to have a sufficient force early in the field. We see by the speech of the king of

Great Britain to his Parliament, that much money will be called for; no doubt, to prosecute the war with unrelenting vigour. That we shall oppose with all our power, is certain, but the event must be doubtful until France shall take a decided part in the war. When that happens, our liberties will be secured, and the glory and greatness of France be placed on the most solid foundation. What may be the consequence of her delay must be a painful consideration to every friend of that country and of this. Thus viewing our situation, we are sure it will occasion your strongest exertions to procure an event of such momentous consequence to your country. It is in vain for us to have on hand a great abundance of tobacco, rice, indigo, flour, and other valuable articles of merchandise, if prevented from exporting them by having the whole naval power of Great Britain to contend against. It is not only for our interest, but clearly so for the benefit of Europe in general, that we should not be hindered from freely transmitting our products, that abound here, and are so much wanted there. Why should the avarice and ambition of Great Britain be gratified to the excessive injury of other nations? We feel sensibly the disagreeable situation Mr. Deane must have been in, from early in June to the date of his letter, in October; but this was occasioned by accident, not neglect, of writing, since letters were sent to him in all the intervening months, which must have unluckily fallen into the enemies' hands, or been destroyed. Mr. Bingham informs us, from Martinique, that he learned from a Spanish general there, on his way to South America, that the king of Spain was willing to do the United States offices of friendship, and that a loan of money might be obtained from that court. As the power sent you for borrowing is not confined to place, we mention this intelligence that you may avail yourselves of his Catholic majesty's friendly designs. Perhaps a loan can be obtained there on better terms than elsewhere. Mr. Deane recommends sending frigates to France, and to convoy our merchandise; but it should be considered that we are young in the business of fitting ships of war; that founderies for cannon were all to be erected, and the difficulty of getting seamen quickly, when privateers abound as they do from the states where sailors are chiefly to be met with; and lastly, that our frigates are much restrained by the heavy ships of the enemy which are placed at the entrance of our bays; in short, the attention of Great Britain must in part be drawn from here before France can benefit largely by our commerce. We expect it will not be long before Congress will appoint commissioners to

the courts formerly mentioned; and, in the mean time, you will serve the cause of your country, in the best manner possible, with the ministers from those courts to that of Versailles. Earnestly wishing for good news, and quickly, from you, we remain, with friendship and esteem, honourable gentlemen, your most obedient humble servants.

P. S. Congress adjourns this week back to Philadelphia.

NUMBER IX.

FISHKILL, the 23d of May, 1778.

Sir—Although I have but the honour of a short acquaintance with you, being upon the eve of my departure from this country, I take the liberty of troubling you with a few lines. After having complied with all the orders of Congress, I was sent back to Albany, in the latter end of last month. I then represented to General Washington, to the board of war, and to the president of Congress, that I being a French officer, and the most advanced in rank in the French army, (in spite of the stories and false pretensions of Mr. Kalb,) of all the French officers who came over, I could not think of being idle in a town, while others were fighting, that this was neither becoming my character, nor consistent with my principles; I therefore requested to be put in the way of action, and if any services were not thought necessary, I expected that Congress would give me such a certificate, as might justify me in returning to France, at the opening of the campaign. In answer to this pressing demand of mine, Congress resolved to accept of my resignation; but I did not hear a word about the certificate to which I am entitled. I do not blame the Congress at large for this extraordinary usage. I am told that it has been the effect of a cabal prejudiced against me. I do not meddle with any cabal, but whatever might be the influence of my unknown enemies in Congress, I expect that in your dispassionate view, Congress will consider that I have served with zeal and honour, that I have been invited, solicited, and sent over, by Mr. Silas Deane, that I was detained by Congress, that I have complied with all orders directed to me, that if my desire of serving in the field, of being in the way of action, is not agreeable, I ought to be dischaged in a manner becoming the dignity of Congress, as an officer called for by your agent, and who bears an honourable rank in the army of the power allied with the United States. This, sir, I have mentioned to President Laurens, and as I set a value upon your esteem, I thought it would not be improper to let you know, that when a number of French officers, (or who are said to be so,) are devouring the pay and rations of the continent far from the army, I was discarded

from the army, because I strenuously applied for being employed in the field; it is the first instance, I believe, of such an application being reckoned criminal. I am, with much regard, sir, your most obedient humble servant,

THOMAS CONWAY.

Col. Richard Henry Lee.

CAMP AT WHITE PLAINS, August 17th, 1778.

Sir—I received both letters you honoured me with, dated 15th of February, and 23d of March, last past, but rather late, the first came to hand the 20th of May, and the second in June. A long sickness, the march of the army when I was yet very unwell, and a good deal of business since my recovery, have prevented me from answering before now. You are much in the right, sir, to think that the change in political matters, must place your independence beyond all doubt, and far beyond the power of England to disturb; I heartily rejoice with you and all true Americans, on the occasion. It is to be expected, also, the alliance with France and the real assistance the king intends to the states, must needs procure you a speedy and lasting peace. This day I wrote to President Laurens, in favour of Mons. le Vicomte de Mauray and Mons. le Chev. de Fayolles, which will be laid before the supreme council of the states. I need not to trouble you with the contents of it. I will only observe to you, that I am ordered to do the same by Marshal Duke de Broglie, and the count, his brother, and as they expect my answer, on that account, I should be greatly obliged to you, if you would be pleased to let me have the reasons for, or against, as the matter will be debated in Congress, and to be very particular in that respect. Though I ardently wish Mons. de Mauray's request be granted, yet I am afraid it will not, by reason of a letter he wrote, as I understood, to Congress, not very acceptable. If he is refused on that account, I should be glad to have it mentioned, because I think his noble protectors, are unacquainted with this piece of bad policy of his. I have the honour to be, with great respect and esteem, dear sir,

Your most obedient and very humble servant,

The Baron de KALB.

Col. Richard Henry Lee, Delegate in Congress.

WILMINGTON, August 13, 1778.

SIR—I am arrived here these two days, with all the cavalry, and expecting the infantry in four, will present myself with my corps to the Congress, to pass the review in the end of this month, and pursue the enemy immediately after. I should have been very glad to be ready sooner; but I hope every body shall be persuaded, that it is not the business of one day, to raise and form a corps. However, I heard the honourable Congress don't seem to be much satisfied with my application: I can't guess what may be the reason of it, for I always did all in my power to prove to them, that honour, and a true desire of distinguishing myself in defence of liberty, was always the only motive which fired my breast, for the cause of the United States. I do trust myself enough in your knowledge, to be in hopes, that you'll be kind enough to support me against the false preventions which might have been made against me. I am, with respect, sir,

Your most humble and obedient servant,

C. PULASKI.

Hon. Colonel LEE, Esq.

P. S. Captain Baldesqui, paymaster of my legion, who will deliver you my letter, is acquainted with all the particulars of the legion's business; you may know any thing from him.

BRISTOL, Sept. 16, 1777.

SIR—I am unable to tell you, with how much reluctance and even sorrow, I must acquaint you, that I cannot accept of the honour Congress intended to me, for the various reasons I explained to you, sir, to several members of Congress, but more particularly to Mr. Lovell, and which I repeat to Mr. Secretary Thomson, they are all of great weight with me. I beseech you, dear sir, to lay before Congress, that I have, and always shall retain the highest sense of thankfulness and veneration, for the whole of so respectable a body of men, and for each of the members in particular. My most sincere vows will ever be, for success to all their measures and undertakings, and for the general welfare and happiness of your states. I will never forget the private obligations I owe to several of your gentlemen, but especially to your

kindness to me. I never will be happier than when I shall hear from you, or when I shall be able to convince you of the esteem and respect, with which I have the honour to be,

Sir,

Your most obedient,

And most humble servant,

THE BARON DE KALB.

The Hon. Colonel RICHARD HENRY LEE,
Philadelphia.

NUMBER X.

Letter from the Count De Grasse, to Richard Henry Lee.

Je m'empresse, Monsieur, de vous faire passer toutes les expressions de ma reconnoissance, tout au sujet des choses flatteuses et obligeantes que vous vouléz bien me dire dans la lettre dont vous m'avéz honoré. qu'au sujet des differentes provisions, et rafraichissements que vous avez eu la bonte de m'envoyer. Faites moi je vous prie l'amitie de croire que mon plus grand regret en quittant ces parages, sera de n'avoir pas êté assez heureux pour vous faire mes remesciments de vive voix et faire avec vous, une connaissance personnelle et particuliere. Chargéz vous, si'l vous plait, Monsieur, de presenter les temoignages de ma gratitude à ceux de vos compatriotes qui eut bien vouleé contribuer à la marque d'amitié que vous m'avez donné, et croyez que la reconnaissance que j'en conserverai sera aussi durable que l'attachement sincere avec lequel j'ai l'honeur d'étre,

Monsieur,

Votre tres humble ettres obeissante serviteur,

LE COMTE DE GRASSE.

Abord de la Ville de Paris,
le Jy 8vre. 1781.

[TRANSLATION.]

I hasten, Sir, to transmit you every expression of thankfulness, as well for the flattering and obliging expressions you have been pleased to use in the letter with which you honoured me, as for the variety of provisions and refreshments, which you have had the goodness to send me. Do me the favour, I entreat you, to believe, that my greatest regret at quitting this country, will be, the not having been so happy as to have returned you my thanks in person, and to have made a personal and particular acquaintance with you. Be pleased, Sir, to testify my gratitude to those of your country-

men, who have been so good as to contribute to the proof of regard which you have given me; and be assured, Sir, that my gratitude will be as durable as the sincere attachment, with which I have the honour to be,

Your most obedient,
And most humble servant,
THE COUNT DE GRASSE.

END OF VOL. I.